

0004371  
0004371

## RECOMMENDATIONS

338

7/17

### COMMUNITY PLANNING GROUP/STAFF'S/PLANNING COMMISSION

Project Manager must complete the following information for the Council docket:

**CASE NO. PTS 67993**

#### STAFF'S RECOMMENDATIONS:

1. Resolution certifying the information contained in LDR File No. 67992 has been completed in compliance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines, and that said Mitigated Negative Declaration (MND) No. 67993 reflects the independent judgment of the City of San Diego as Lead Agency, stating for the record the final MND has been reviewed and considered prior to approving the project, and adopting the Mitigation, Monitoring and Reporting Program.
2. Ordinance rezoning portions of the 3.35-acres site in the Tierrasanta Community Plan area.
3. Resolution approving Site Development Permit 205536.
4. Resolution approving Public Right of Way Vacation.

#### PLANNING COMMISSION (list names of Commissioners voting yea or nay)

Vote: 6:0:1

**YEAS: Schultz, Garcia, Griswold, Otsuji, Naslund, Ontai**

**NAYS: None**

**ABSTAINING: None**

**VACANT: 1**

TO: Recommend that the City Council certify/approve the following actions.

1. Resolution certifying the information contained in LDR File No. 67992 has been completed in compliance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines, and that said Mitigated Negative Declaration (MND) No. 67993 reflects the independent judgment of the City of San Diego as Lead Agency, stating for the record the final MND has been reviewed and considered prior to approving the project, and adopting the Mitigation, Monitoring and Reporting Program.
2. Ordinance rezoning portions of the 3.35-acres site in the Tierrasanta Community Plan area.
3. Resolution approving Site Development Permit 205536.
4. Resolution approving Public Right of Way Vacation.

#### COMMUNITY PLANNING GROUP (choose one)

LIST NAME OF GROUP: Tierrasanta

- ☐ No officially recognized community planning group for this area.
  - ☐ Community Planning Group has been notified of this project and has not submitted a recommendation.
  - ☐ Community Planning Group has been notified of this project and has not taken a position.
  - ☐ Community Planning Group has recommended approval of this project.
  - ☐ Community Planning Group has recommended denial of this project.
  - ☐ This is a matter of City-wide effect.
- On August 16, 2006, the Tierrasanta Community Council and Planning Group considered the project and voted 8:8:0. This tie vote resulted in no official action by the community planning group.

By

*Patricia Sabido*  
Project Manager

000439



CITY CLERK'S OFFICE

07 APR 11 AM 10:31

THE CITY OF SAN DIEGO

SAN DIEGO, CALIF.

## REPORT TO THE PLANNING COMMISSION

**DATE ISSUED:** February 8, 2007 **REPORT NO.** PC-07032

**ATTENTION:** Planning Commission, Agenda of February 15, 2007

**SUBJECT:** TUCKER SELF STORAGE - PROJECT NO. 67993. PROCESS 5

**OWNER/  
APPLICANT:** City of San Diego/  
Andy Kruttsch (Attachment 15)

### SUMMARY

**Issue(s):** Should the Planning Commission **RECOMMEND** to the City Council approval of a 120,183-square foot self storage facility on a 3.35-acre site located at 9765 Clairemont Mesa Boulevard in the Tierrasanta Community Plan area?

### Staff Recommendations:

1. Recommend to City Council **CERTIFICATION** of Mitigated Negative Declaration No. 67993, and **ADOPT** the Mitigation, Monitoring and Reporting Program (MMRP);
2. Recommend the City Council **APPROVE** Rezone No. 231223;
3. Recommend the City Council **APPROVE** Public Right of Way Vacation No. 231224; and
4. Recommend the City Council **APPROVE** Site Development Permit No. 205536.

**Community Planning Group Recommendation:** On August 16, 2006, the Tierrasanta Community Council and Planning Group considered the project and voted 8:8:0 (Attachment 14). This tie vote resulted in no official action by the community planning group.



**Environmental Review:** Mitigated Negative Declaration No. 67993 has been prepared for the project in accordance with the State of California Environmental Quality Act (CEQA) guidelines which addressed potential impacts to Paleontological Resources, Biological Resources and Public Health and Safety. A Mitigation, Monitoring and Reporting Program (MMRP) has been prepared and would be implemented with this project to reduce the potential impacts to a level below significance.

**Fiscal Impact Statement:** The proposed project entails a 55-year ground lease of the property pursuant to the Settlement Agreement in the case of TRP LIMITED V. CITY OF SAN DIEGO, ET AL, AND SCC No. 578191, approved by City Council Resolution No. 274804 on December 4, 1989. A stipulation of the Settlement Agreement is that the City pays for the processing of the project's entitlements. Development Services' costs are reimbursed from the Risk Management Liability Fund.

**Code Enforcement Impact:** None with this action.

**Housing Impact Statement:** The Tierrasanta Community Plan does not apply a specific land use designation for the project site. The proposed project would involve the construction of a self storage facility on an undeveloped, excess right-of-way; therefore, the project would not result in the loss of any existing housing units.

## **BACKGROUND**

The proposed 3.35-acre vacant site is located near the intersection of Clairemont Mesa Boulevard and Interstate 15 to the west, within the Tierrasanta Community Plan area in the RS-1-1, IP-2-1, and IH-2-1 zones. The project site is surrounded by Clairemont Mesa Boulevard and military property to the north, Interstate 15 to the west, commercial use south, and MHPA open space uses east. The project site lies within the boundaries of the Multiple Species Conservation Program (MSCP), but outside of the Multi-Habitat Planning Area (MHPA) (Attachment 1).

The Tierrasanta Community Plan does not apply a specific land use designation for the project site. The Industrial Element of the community plan states that approximately three developable acres may be added to the existing six-acre, "industrial" designated site to the south of the subject project site, after the Interstate 15 interchange has been completed and after Clairemont Mesa Boulevard has been aligned (Attachments 2 and 3). Both the Interstate 15 interchange and Clairemont Mesa Boulevard have been realigned.

This project emanated from a quiet title action in the case of TRP Limited v. City of San Diego, et al., SCC 578191, filed in 1986 over a dispute between the City of San Diego and Mr. Kruttsch as to the ownership of the subject property. Rather than taking the case to trial, the City and the Andrew Kruttsch family, being the successor in interest to TRP Limited, entered into a

Settlement Agreement which was approved by City Council Resolution R-274804 in 1989. The Settlement Agreement allows Mr. Krutzsch, in exchange for relinquishing any claim of title to the disputed property, to ground lease the property from the City for a commercial or industrial development under the terms and conditions in the Agreement.

## **DISCUSSION**

### **Community Plan Analysis:**

The Tierrasanta Community Plan does not apply a specific land use designation for the project site (Attachment 2). However, the Industrial Element of the community plan states that approximately three developable acres may be added to the existing six-acre, "industrial" designated site to the south of the project site, after the Interstate 15 interchange has been completed and after Clairemont Mesa Boulevard has been aligned (Attachment 3). Currently, both right-of-way facilities have been completed. The proposal to develop a self storage facility on the approximate 3.4-acre site adjacent to industrial designated land would meet the intent of the Industrial Element of the community plan and the goal of accommodating compatible uses with the designated site.

According to the Tierrasanta Community Plan, development of the proposed project site should meet objectives for protecting surrounding uses from visual impacts or other disruptions, as well as for protecting and enhancing the physical environment, visual appearance, identity, and character of the Tierrasanta community. The proposed project meets these objectives by proposing low-profile buildings that would not obstruct views of the surrounding area. In addition to being proposed adjacent to the freeway and existing industrial development, the proposed project would be buffered from multi-family residential development to the east by an existing open space easement. The project also would incorporate a mix of varying materials and landscape screening that would serve to break up the bulk and mass of the proposed structures (Attachment 7). The western portion of the proposed project would be setback from Clairemont Mesa Boulevard. The project would be screened with 24-inch box Cajeput Trees (*Melaleuca Quinquenervia*) around the perimeter of the project site. Additionally, faux windows would be added along the north elevation of the eastern most structure of the project, closest to Clairemont Mesa Boulevard (Attachment 6). Varying roof lines and staggered setbacks would also be incorporated to further articulate the building façade of this portion of the project along Clairemont Mesa Boulevard. These project features implement the objectives of the community plan to protect surrounding uses from visual impacts and visual appearance through aesthetic improvements and urban design.

The proposed project would also include a rezone of the project site from RS-1-1 (Residential-Single Unit), IP-2-1 (Industrial – Park), and IH -2-1 (Industrial-Heavy) to IL-2-1 (Industrial-Light) (Attachment 11). The proposed rezone would implement the community plan's goal for light industrial development at this site. As proposed, the project would not adversely impact the goals and objectives of the Tierrasanta Community Plan.

**Project Description:**

The project proposal includes three self storage buildings totaling 120,183 square feet, located on an existing 3.35-acre site (Attachments 5 and 6). The buildings would sit on two adjacent parcels (Parcel "A" West Phase, a 68,868 square-foot parcel, and Parcel "B" East Phase, a 51,315 square-foot parcel). Development on Parcel "A" West Phase would consist of two, three-story buildings sitting atop a basement. Parcel "A" Building One would consist of 8,695 square feet for each of the three floors and the basement, for a total of 34,780 square feet. Parcel "A" Building Two would consist of 8,522 square feet for each of the three floors and the basement for a total of 34,088 square-feet.

Development on Parcel "B" East Phase would consist of one, four-story building. The project proposes 12,765 square feet for the first floor and 12,850 square feet each for floors two through four, of the Parcel "B" Building. The total square footage for this building would be 51,315 square feet (Attachments 5 and 6).

The three-and four-story structures would include self-storage on all building levels, with an office, lobby, and reception area on the first floor of Parcel "B" East Phase Building. The proposed self storage facility would provide a total of 15 parking spaces and two loading spaces on-site.

**Discretionary Actions**

The proposed project requires a Rezone from the RS-1-1, IH-2-1 and IP-2-1 zones to the IL-2-1 zone (Attachments 10 and 11). The IL-2-1 zone allows for a mix of light industrial uses and office uses with limited commercial uses. Along with the Rezone the project requires a Site Development Permit (SDP) and a Right-of-Way Vacation. The Public Right-of Way Vacation is for the property which was formerly part of an Interstate 15 off-ramp (Attachments 12 and 13). A SDP is required due to impacts to Environmentally Sensitive Lands. Approximately 2.36-acres of Coastal sage scrub habitat (CSS Tier II) and 0.53-acres of Non-native Grassland (NNGGL Tier IIIB) will be impacted by the proposed project. The proposed rezone is supported because it would implement the community plan's goal for light industrial development at this site. The Right-of-Way Vacation is supported because the subject area is no longer needed for public use.

**Community Planning Group Recommendation**

On August 16, 2006, the Tierrasanta Community Council and Planning Group voted 8:8:0, a tie vote (Attachment 14). A tie vote of the planning group results in no official action. As summarized in the minutes, the project was supported because, "*...a self-storage facility presents the least possible impacts in terms of traffic, noise and light that would exist were any other type of project planned, and with the false windows, granite facing and roof-top parapet, the project*

*will look more like an office building (more like the adjacent research park) than a typical self storage facility".*

Opposition to the project is centered on visual impacts, rezoning and the use at this location. The opposition is summarized in the minutes as, *"building size, visual impacts and the intensity of the proposed rezoning"*.

### **Environmental Analysis:**

#### **Biological Resources**

A biological technical report entitled, *Biological Technical Report for Tucker Self Storage* dated September, 2006 was prepared by RC Biological Consulting, Inc., to assess the vegetation communities and identify potential biological impacts from proposed project implementation. The 3.35-acre project site would directly impact approximately 2.36-acres of Coastal sage scrub habitat (CSS Tier II) and 0.53-acres of Non-native Grassland (NNGI Tier IIIB).

The proposed project would occur within the City of San Diego's MSCP but outside of the MHPA boundary as delineated within the City's MSCP Subarea Plan. Mitigation would be required for direct impacts to 2.36 acres of coastal sage scrub onsite and for impacts to 0.53 acres of non-native grassland onsite. Mitigation for direct impacts to the habitats onsite would consist of either offsite acquisition in a City approved Mitigation Bank or payment into the City's Habitat Acquisition Fund.

#### **Health and Safety**

Portions of the Tierrasanta area have been historically used as a military training area known as Camp Elliott. Portions of the project site appear to be located in this military training area. The project would involve grading areas which appear to be previously undisturbed. The subject property and all areas affected by construction shall be swept for unexploded ordinance prior to any grading. According to the Army Corps of Engineers (ACOE), a portion of the project site has been swept for unexploded ordinance, while portions remain to be swept. The applicant will be required to obtain proof/approval from the Department of Toxic Substance Control (DTSC) that the entire site has been swept and cleared before issuance of grading permits.

#### **Paleontological Resources**

The project site is underlain by the Friars Formation which exhibits high paleontological resource sensitivity in the project area. Grading for the proposed project would require excavation and removal of approximately 18,895 cubic yards of cut material, 5,145 cubic yards of fill, and would extend to depths of approximately 17 feet below the surface. According to the City of San Diego Paleontology Guidelines (City of San Diego 2002), impacts to paleontological resources are

considered potentially significant for areas with a high sensitivity if grading would exceed 1,000 cubic yards and extend to a depth of 10 or more feet.

Because project grading would exceed both of these thresholds, the proposed project could result in a potentially significant impact to paleontological resources. Therefore, the project would require paleontological monitoring during grading and excavation activities.

#### **Land Use (MCAS Miramar)**

The proposed project is located within the MCAS Miramar Airport Environs Overlay Zone. The purpose of the Airport Environs Overlay Zone is to provide supplemental regulations for property surrounding airports such as MCAS Miramar. The intent of the regulation is to ensure that land uses are compatible with the operation; to provide a mechanism whereby property owners receive information regarding the noise impacts and safety hazards associated with their property's

proximity to aircraft operations; and to ensure provisions of the California Administrative Code Title 21 for incompatible of Airports for incompatible land uses are satisfied. The use proposed project use, self storage, is compatible with the Airport Environs Overlay Zone.

#### **Conclusion:**

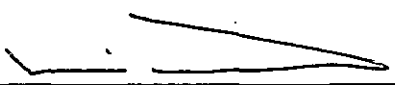
Staff recommends that the Planning Commission recommend City Council approval of the actions to permit the Tucker Self Storage project. This recommendation is made because all issues identified by City staff during review of the proposed project have been resolved in accordance with the requirements of the Municipal Code and the California Environmental Quality Act, subject to the terms and conditions contained in the draft permits, ordinances and resolutions for the project.

#### **ALTERNATIVES**

1. **RECOMMEND APPROVAL** to the City Council of the Tucker Self Storage project for: Rezone No.231223; Site Development Permit No. 205536; and Public Right-Of-Way Vacation No. 231224 with modifications.
2. **RECOMMEND DENIAL** to the City Council of the Tucker Self Storage project for: Rezone No. 231223; Site Development Permit No. 205536; and Public Right-Of-Way Vacation No. 231224 if the findings required approve the project cannot be affirmed.


000445

Respectfully submitted,



---

Mike Westlake  
Program Manager  
Development Services Department



---

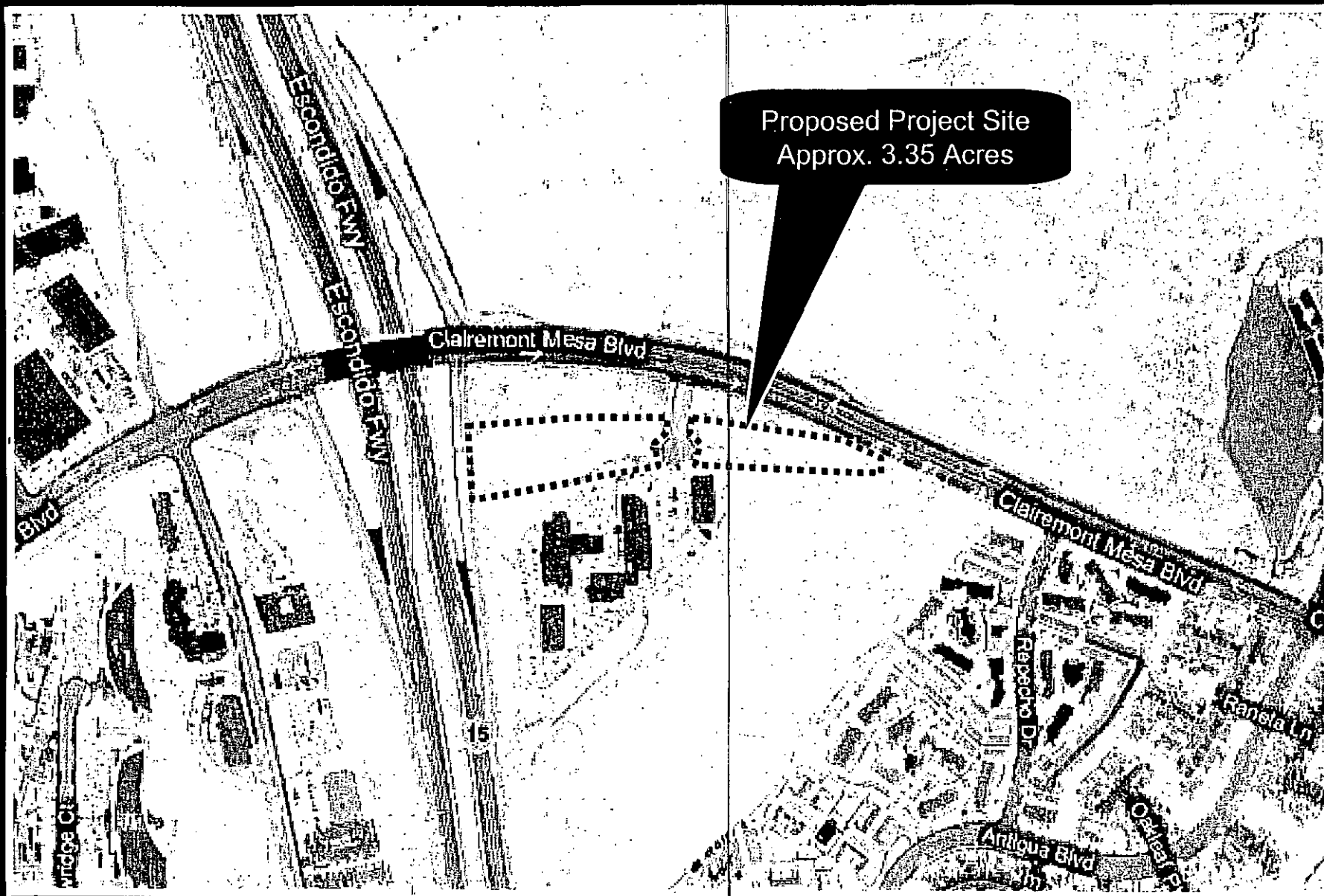
Patricia Grabski, AICP  
Project Manager  
Development Services Department

MEE/pxg

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Community Plan Text
4. Project Data Sheet
5. Project Site Plans
6. Project Elevations
7. Landscape Concept Plan
8. Draft Permit with Conditions
9. Draft Resolution with Findings
10. Draft Rezone Ordinance
11. Rezone - B Sheet
12. Public Right-Of-Way Resolution
13. Public Right-Of-Way Exhibit
14. Community Planning Group Recommendation
15. Ownership Disclosure Statement



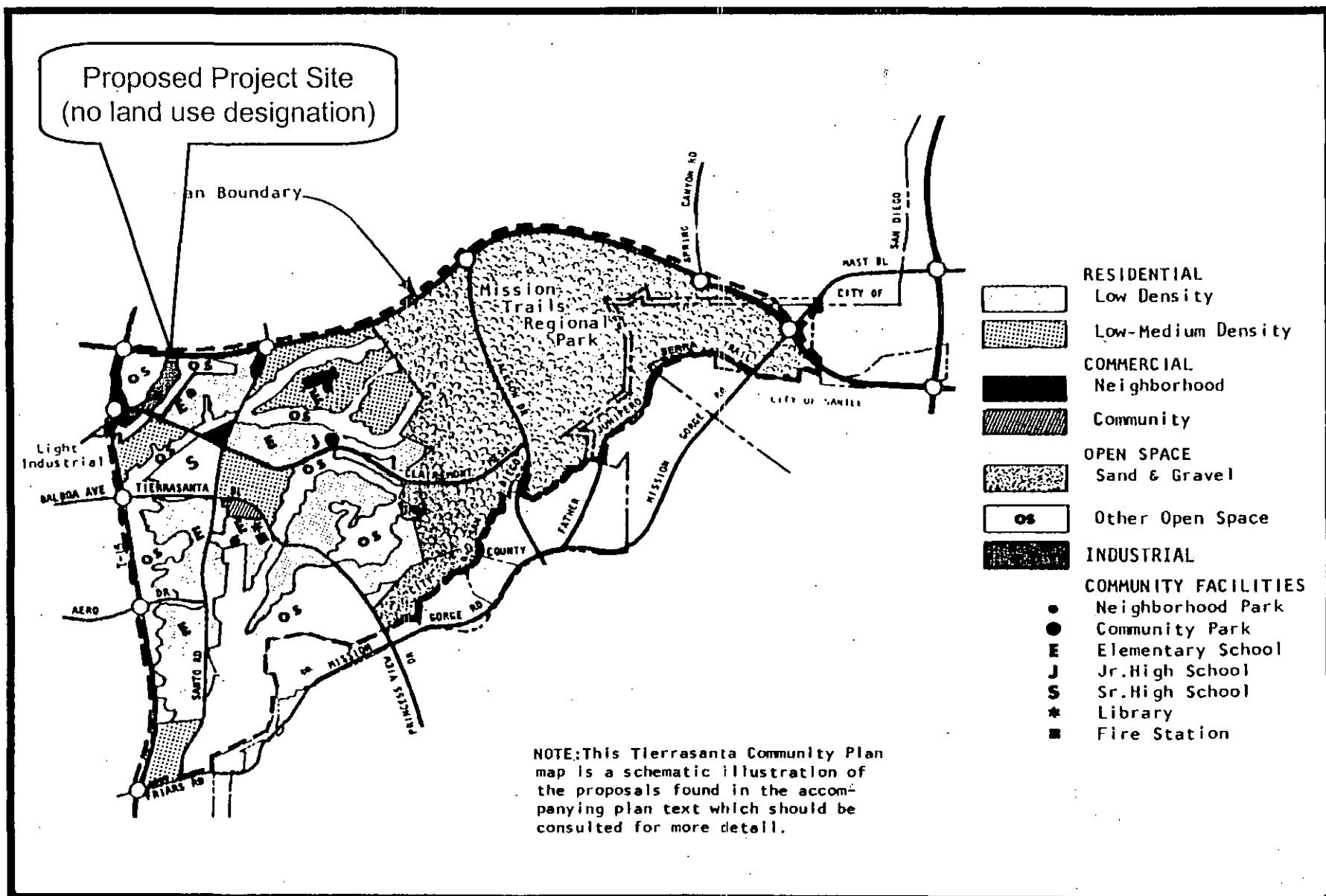


## Aerial Photo

TUCKER SELF STORAGE – PROJECT NO. 67993

9765 Clairemont Mesa Boulevard

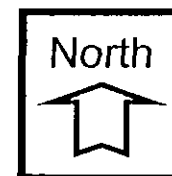




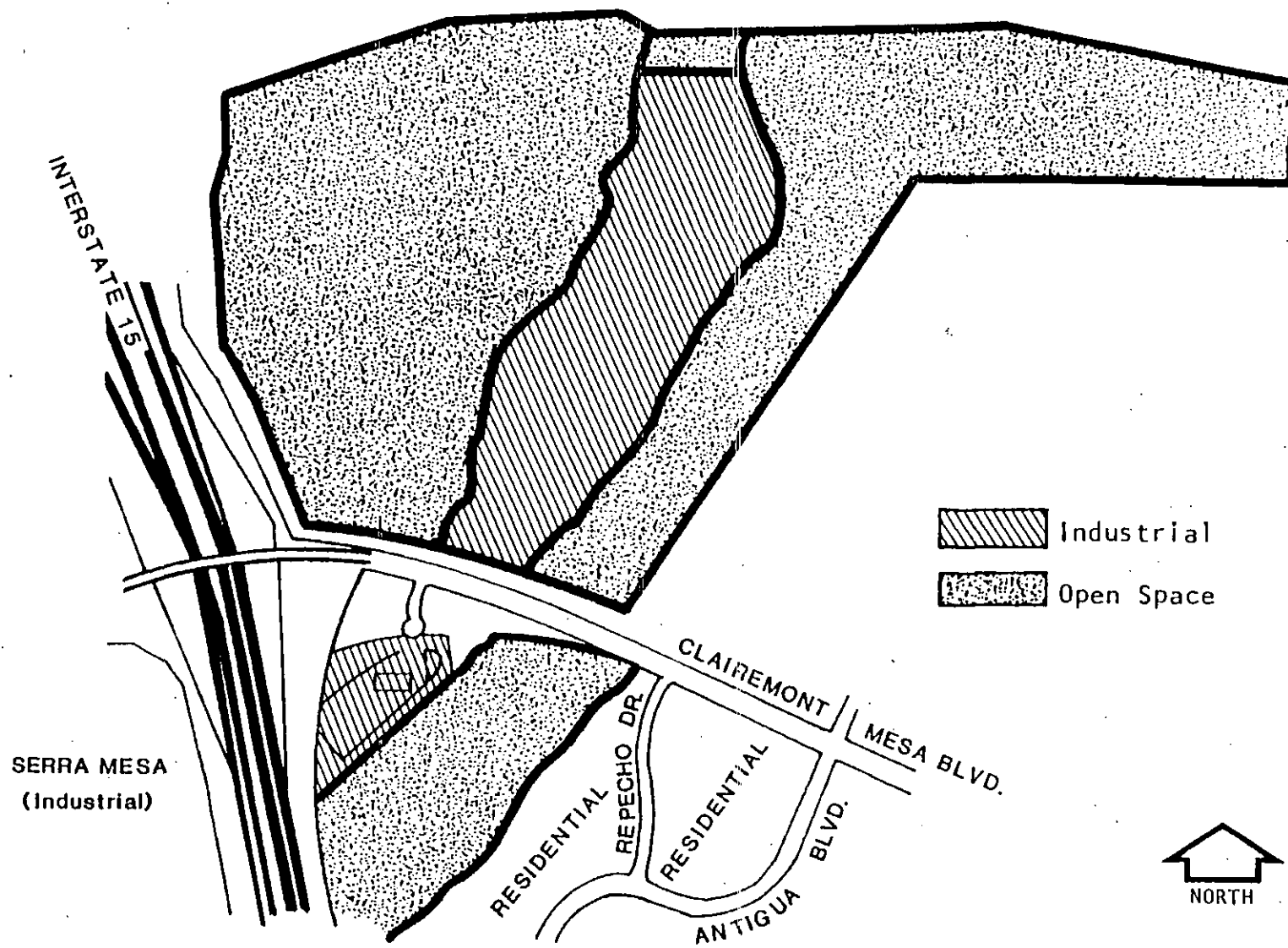
# Tierrasanta Community Plan Map

**TUCKER SELF STORAGE – PROJECT NO. 67993**

**9765 Clairemont Mesa Boulevard**



000449



Industrial Use  
Tierrasanta Community Plan

8  
FIGURE

nrc 450

---

## INDUSTRIAL

---

### EXISTING CONDITIONS

Industrially designated land within Tierrasanta is limited to two sites located east of the I-15/Clairemont Mesa Boulevard interchange (Figure 9).

One site consists of an auto wrecking yard and a vehicle storage facility, occupying a six-acre parcel bounded on the west and north by the above thoroughfares, and on the south and east by an open space canyon. Vehicular access is somewhat hazardous with the close proximity of the freeway interchange. While these businesses are visible from residential development to the southeast, a fence adequately screens most of the operations.

Approximately three developable acres may be added to this site after the I-15 interchange is constructed and Clairemont Mesa Boulevard is realigned. Clairemont Mesa Boulevard will be constructed to four-lane Primary Arterial standards. Access and traffic capacity constraints limit the intensity of uses which this site can accommodate.

A larger industrial site occupies approximately 51 acres northeast of the I-15/Clairemont Mesa Boulevard interchange. This site, which is located on a mesa, was formerly designated for military use. This site is surrounded by open space areas which include canyons, and mesas with vernal pools which contain rare and endangered species. A 150-foot-wide wildlife corridor separates the site from the SR-52 alignment.

### GOAL

ACCOMMODATE USES WHICH ARE COMPATIBLE WITH THE DESIGNATED SITE

### OBJECTIVES

- To protect surrounding uses from visual impact or other disruption caused by uses on the industrially designated sites.
- To improve the existing traffic safety situation concerning access to the southerly site.
- To ensure that industrial development is sensitive to the surrounding open space areas.

# PROJECT DATA SHEET

ATTACHMENT 4

<b>PROJECT NAME:</b>	Tucker Self Storage
<b>PROJECT DESCRIPTION:</b> <b>000451</b>	Three self storage buildings totaling 120,183 square feet on two adjacent parcels. (Parcel "A" West Phase, a 68,868 square-foot parcel, and Parcel "B" East Phase, a 51,315 square-foot parcel). Development on Parcel "A" West Phase would consist of two, three-story buildings sitting atop a basement. Parcel "A" Building One would consist of 8,695 square feet for each of the three floors and the basement, for a total of 34,780 square feet. Parcel "A" Building Two would consist of 8,522 square feet for each of the three floors and the basement for a total of 34,088 square-feet.
<b>COMMUNITY PLAN AREA:</b>	Tierrasanta
<b>DISCRETIONARY ACTIONS:</b>	Rezone; Site Development Permit; & Public Right-Of-Way Vacation
<b>COMMUNITY PLAN LAND USE DESIGNATION:</b>	The Tierrasanta Community Plan does not apply a specific land use designation for the site. The Industrial Element of the Plan states that approximately 3 developable acres may be added to the existing 6-acre, Industrial designated site to the south of the project site, after the Interstate 15 interchange has been completed and after Clairemont Mesa Boulevard has been aligned. Both right-of-way actions have been completed.

## ZONING INFORMATION:

### EXISTING

**ZONE:** RS-1-1, IH-2-1, IP-2-1

**HEIGHT LIMIT:** 30'

**LOT SIZE:** 3.35 acres

**FLOOR AREA RATIO:**

Parcel A = 2.0 allowed

Parcel B = 2.0 allowed

**FRONT SETBACK:**

Parcel A = 15' min. 20' std.

Parcel B = 15' min. 20' std.

**SIDE SETBACK:** 10'

**STREETSIDE SETBACK:**

**REAR SETBACK:** 15'

**PARKING:** 1 per 10,000 s.f.

### PROPOSED

IL-2-1

None

Parcel A = .93

Parcel B = .712

Parcel A = 47'

Parcel B = 53'

10'

N/A

15'

1 per 10,000 s.f. = 15 parking, 2 loading

<u>ADJACENT PROPERTIES:</u>	<b>LAND USE DESIGNATION &amp; ZONE</b>	<b>EXISTING LAND USE</b>
<b>NORTH:</b>	Industrial/Residential	Vacant/Undeveloped
<b>SOUTH:</b>	Industrial/Residential	Industrial Park

EAST:	Residential/Agricultural	Vacant/Open Space
WEST:	Industrial/Residential	Vacant/Undeveloped
DEVIATIONS OR VARIANCES REQUESTED:	None.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On August 16, 2006, the Tierrasanta Community Council and Planning Group voted 8:8:0.	

000452



## PROJECT DATA:

**Existing Use:** Vacant site  
**Type Of Construction:** Type II Non-Residential, Sprinkled  
 11 hrs of use per day  
**Occupancy Classification:** B and B-1  
**Number of Stories:** 4 stories  
**East Phase:** 9 stories over basement  
**Building Codes:** 2001 CBC, CFC, CMC, CFC, CFC  
**Street Floor Area:** West Phase = 88,868 sq. ft.  
 Parcel A  
 East Phase = 91,028 sq. ft.  
 Parcel B  
 120,896 sq. ft.

**P.A.R. allowed:** 3.0  
**Parcel A site:** 170 acres (75,000 sq. ft.)  
**Coverage:** 25.5%  
**P.A.R.:** 19  
**Parcel B site:** 185 acres (81,500 sq. ft.)  
**Coverage:** 20.5%  
**P.A.R.:** 102

## SCOPE OF WORK:

JERRY TUCKER AND JERRY TUCKER ARE SUBMITTING AN APPLICATION FOR A PROPOSED SELF STORAGE OR A FACILITY THAT IS OWNED BY THE CITY OF SAN DIEGO. THE APPLICANTS IN OUR HAVE A LONG TERM LEASE FROM THE CITY TO IMPROVE THE SITE WITH AN APPROXIMATE COMMERCIAL USE WITH THIS LEASE THE CITY IS OBLIGATED TO FUND ALL ASSOCIATED COSTS.

### SCOPE OF WORK:

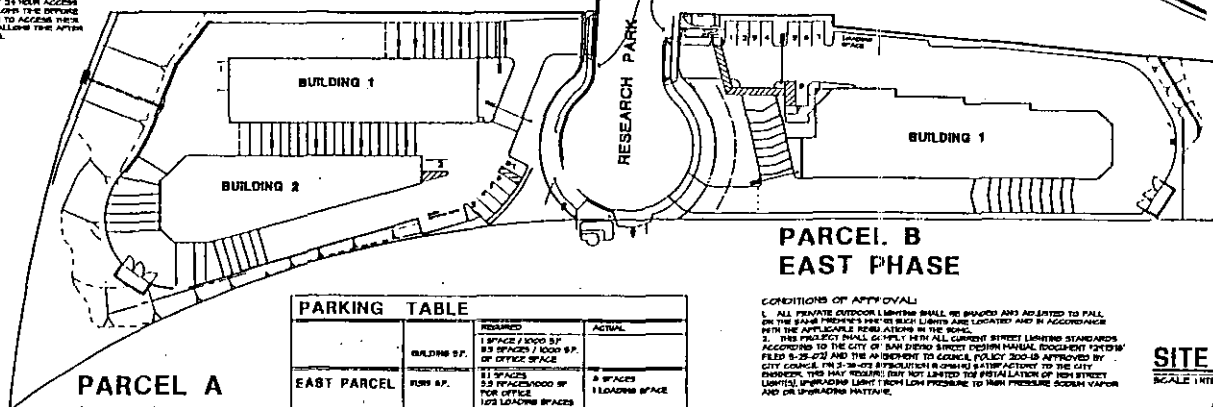
1. GRADING OF THE EXISTING VACANT LAND WHICH HAS PREVIOUSLY USED AS AN OFF-RAMP FOR MARINE CANTON ROAD.
  2. GRADING AND FILLING ABOUT 2.8 ACRES OF THE SURFACE AREA OF PARCELS A AND B.
  3. CONSTRUCTION OF 12,500 SF OF SELF STORAGE, INCLUDING THE NECESSARY PARKING, ACCESS AND LANDSCAPING.
- REQUIRED DISCRETIONARY APPROVALS:** THE DISCRETIONARY APPROVALS NEEDED TO AUTHORIZE THE EXPANSION INCLUDE:
1. SITE DEVELOPMENT PERMIT
  2. PLANNED DEVELOPMENT PERMIT REQUESTING A REDUCTION IN PARKING FROM 1 PER 1000 SF, TO 1 PER 1000 SF, WHICH IS MORE IN LINE WITH SELF STORAGE TYPE PROJECTS.
  3. REZONING: PROPOSED S-13-1 FROM THE EXISTING S-13-0.
  4. PUBLIC RIGHT-OF-WAY VACATION OF PROPERTY WHICH HAS A TURNER ROAD OFF-RAMP.

## PROPOSED HOURS OF OPERATION:

8:00 AM TO 7:00 PM

THE PROPOSED HOURS OF OPERATION ARE NORMAL OPERATING HOURS FOR SELF STORAGE PROJECTS THAT ARE NOT 24 HOUR ACCESS PROJECTS. 2:00 AM ALLOWS THE DEPOSITS WORK FOR MOST PEOPLE TO ACCESS THEIR BUILDING AND 7:00 PM ALLOWS THE AFTER WORK FOR THEIR ACCESS.

## PARCEL A WEST PHASE



PARKING TABLE			
		REQUIRED	ACTUAL
EAST PARCEL	BUILDING S.F.	1 SPACE / 1000 S.F. 83 SPACES / 1000 S.F. OF OFFICE SPACE	8 SPACES 1100000 SPACE
	PER S.F.	11 SPACES 2.5 SPACES/1000 S.F. FOR OFFICE 100 LANDING SPACES	1 SPACES 1000000 SPACE
WEST PARCEL	BUILDING S.F.	8.4 SPACES 13 LANDING SPACES	8 SPACES 1000000 SPACE
	PER S.F.	8.2 SPACES 2.5 LANDING	8 SPACES 1000000 SPACE
TOTAL			

### CONDITIONS OF APPROVAL:

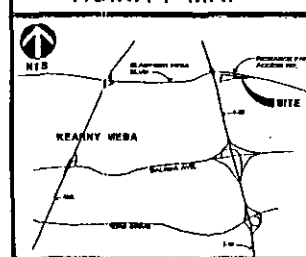
1. ALL PRIVATE OUTDOOR LIGHTING SHALL BE SHUT OFF AND ADJUSTED TO FALL ON THE SAME PROPERTY'S PRIVATE LIGHTS AND IN ACCORDANCE WITH THE APPLICABLE REGULATIONS IN THE ZONING.
2. THE PROJECT SHALL COMPLY WITH ALL CURRENT STREET LIGHTING STANDARDS ACCORDING TO THE CITY OF SAN DIEGO STREET LIGHTING STANDARDS. FLEET 5-25-02B AND THE AN ORDINANCE TO GENERAL POLICY 200-10 APPROVED BY CITY COUNCIL, PM 3-14-02B (RESOLUTION) CHAIRMAN SATISFACTORY TO THE CITY ENGINEER. THIS MAY REQUIRE BUT NOT LIMITED TO THE INSTALLATION OF HIGH STREET LIGHTS, IMPROVING LIGHT FROM LOW PRESSURE TO HIGH PRESSURE SODIUM VAPOR AND OR UPGRADING INFRASTRUCTURE.

## SITE PLAN

SCALE 1/8" = 1'-0"



## VICINITY MAP

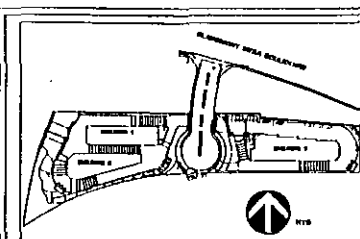


## PROJECT TEAM

**OWNER:**  
 CITY OF SAN DIEGO  
**LEASER:**  
 JERRY TUCKER & ANDREW KRUTSCH  
 104 WEST T STREET  
 SAN DIEGO, CA 92101  
 (619) 544-8121  
**ARCHITECT:**  
 RHE-ARCHITECTS  
 8950 UNIVERSITY AVE.  
 LA MECA, CA 92646  
 (619) 485-2011  
 CONTACT: RICK HARRIS  
**CIVIL ENGINEER:**  
 SHAPIRO ENGINEERS  
 8545 CENTER DRIVE, SUITE B  
 LA MECA, CA 92647  
 (619) 544-0234  
 CONTACT: BOB BRUCKART  
**LANDSCAPE ARCHITECT:**  
 DENTON LANDSCAPE ARCHITECTURE  
 378 N. FOOTBALL BLVD., SUITE F  
 CLAREMONT, CA 91711  
 (951) 828-5885  
 CONTACT: BRETT FRENCH

## SHEET SCHEDULE

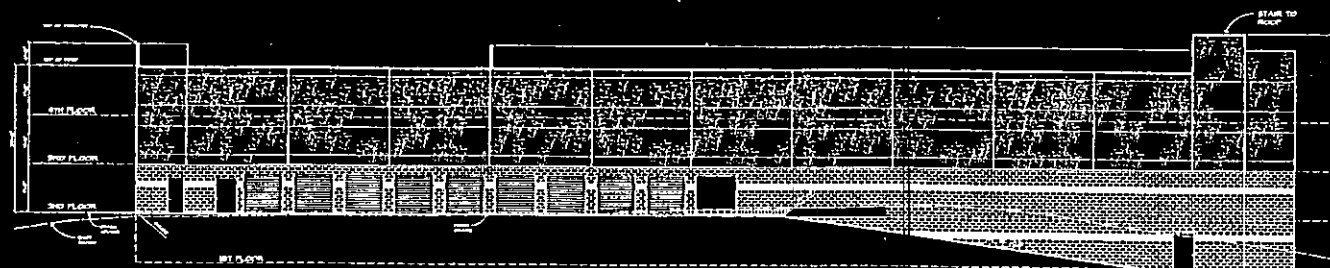
C	COVER SHEET
1	SITE PLAN EAST PHASE, PARCEL B
2	SITE PLAN WEST PHASE, PARCEL A
3	FIRST FLOOR PLAN - EAST PHASE
4	SECOND FLOOR PLAN - EAST PHASE
5	THIRD FLOOR PLAN - EAST PHASE
6	FOURTH FLOOR PLAN - EAST PHASE
7	BASIS FLOOR PLAN - WEST PHASE
8	FIRST FLOOR PLAN - WEST PHASE
9	SECOND FLOOR PLAN - WEST PHASE
10	THIRD FLOOR PLAN - WEST PHASE
11	EXTERIOR ELEVATIONS - EAST PHASE
12	EXTERIOR ELEVATIONS - WEST PHASE - BLDG 1
13	EXTERIOR ELEVATIONS - WEST PHASE - BLDG 2
14	BUILDING SECTIONS - EAST PHASE
15	BUILDING SECTIONS - WEST PHASE
16	ROOF PLAN - EAST PHASE
17	ROOF PLAN - WEST PHASE
18	REZONING EXHIBIT
C-1	CONCEPTUAL GRADING PLAN - PARCEL A
C-2	CONCEPTUAL GRADING PLAN - PARCEL B
C-3	CONCEPTUAL GRADING PLAN - PARCEL A & B
C-4	SLOPE ANALYSIS - PARCEL A & B
L-1	CONCEPTUAL LANDSCAPE PLAN - EAST PHASE
L-2	LANDSCAPE AREA EXHIBIT - EAST PHASE
L-3	CONCEPTUAL LANDSCAPE PLAN - WEST PHASE
L-4	LANDSCAPE AREA EXHIBIT - WEST PHASE



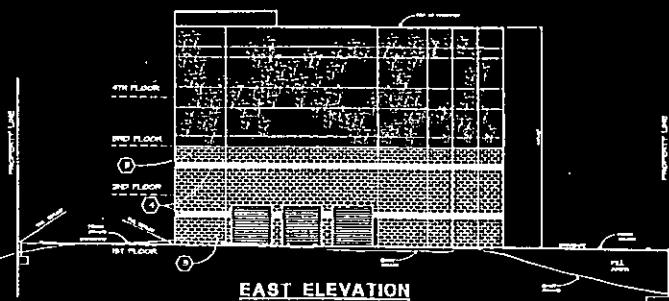
### SITE PLAN

Prepared By:	Not to Scale
RHE-ARCHITECTS	Revision 1: 11-16-06
8330 UNIVERSITY AVE.	Revision 2: 8-25-06
LA MECA, CA	Revision 3: 5-15-06
(619) 485-2011	Revision 4: 11-22-09
Fax (619) 485-2633	Revision 5: 5-20-09
<b>Project Address:</b>	
97XX CLAREMONT MESA BLVD.	
SAN DIEGO, CA	
92121	
<b>Project Name:</b>	
TUCKER SELF STORAGE	
<b>Sheet Title:</b>	
COVER SHEET	
<b>Original Date:</b>	5-10-09
<b>Scale:</b>	1/8" = 1'-0"
<b>Drawn:</b>	C
<b>Check:</b>	21
<b>DATE:</b>	

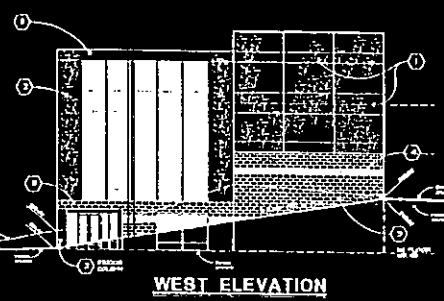




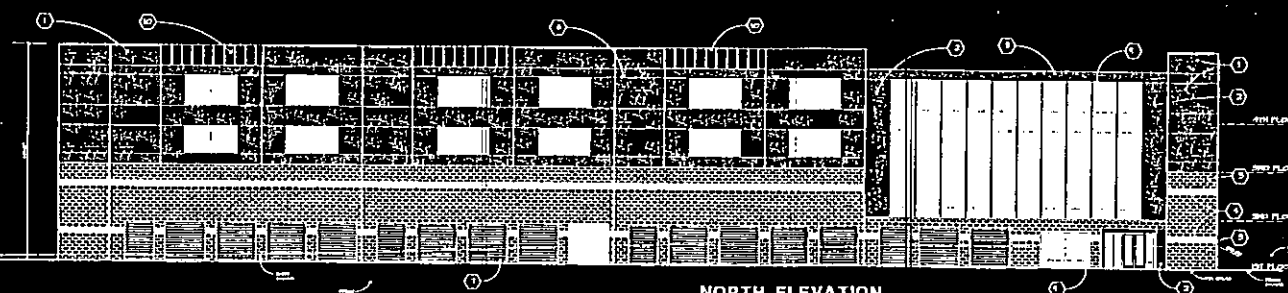
SOUTH ELEVATION



EAST ELEVATION

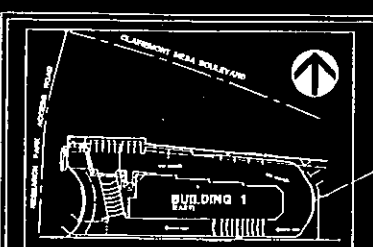


WEST ELEVATION



NORTH ELEVATION

EXTERIOR FINISH SCHEDULE	
①	CONCRETE FLOOR
②	CONCRETE WALL
③	CONCRETE ROOF
④	CONCRETE ROOF
⑤	CONCRETE ROOF
⑥	CONCRETE ROOF
⑦	CONCRETE ROOF
⑧	CONCRETE ROOF
⑨	CONCRETE ROOF
⑩	CONCRETE ROOF
⑪	CONCRETE ROOF
⑫	CONCRETE ROOF
⑬	CONCRETE ROOF
⑭	CONCRETE ROOF
⑮	CONCRETE ROOF
⑯	CONCRETE ROOF
⑰	CONCRETE ROOF
⑱	CONCRETE ROOF
⑲	CONCRETE ROOF
⑳	CONCRETE ROOF
㉑	CONCRETE ROOF
㉒	CONCRETE ROOF
㉓	CONCRETE ROOF
㉔	CONCRETE ROOF
㉕	CONCRETE ROOF
㉖	CONCRETE ROOF
㉗	CONCRETE ROOF
㉘	CONCRETE ROOF
㉙	CONCRETE ROOF
㉚	CONCRETE ROOF
㉛	CONCRETE ROOF
㉜	CONCRETE ROOF
㉝	CONCRETE ROOF
㉞	CONCRETE ROOF
㉟	CONCRETE ROOF
㊱	CONCRETE ROOF
㊲	CONCRETE ROOF
㊳	CONCRETE ROOF
㊴	CONCRETE ROOF
㊵	CONCRETE ROOF
㊶	CONCRETE ROOF
㊷	CONCRETE ROOF
㊸	CONCRETE ROOF
㊹	CONCRETE ROOF
㊺	CONCRETE ROOF
㊻	CONCRETE ROOF
㊼	CONCRETE ROOF
㊽	CONCRETE ROOF
㊾	CONCRETE ROOF
㊿	CONCRETE ROOF



SITE PLAN

Prepared By:  
RMI ARCHITECTS  
8330 UNIVERSITY AVE.  
LA MESA, CA  
(619) 465-2011  
Fax: (619) 465-2833

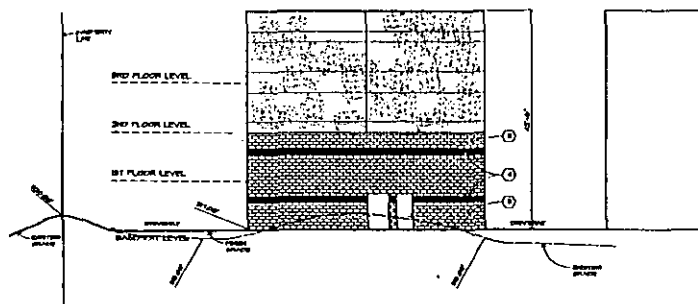
Project Address:  
SAN DIEGO, CA  
92121

Project Name:  
TUCKER SELF STORAGE  
EAST PHASE

Sheet Title:  
Site Development Permit

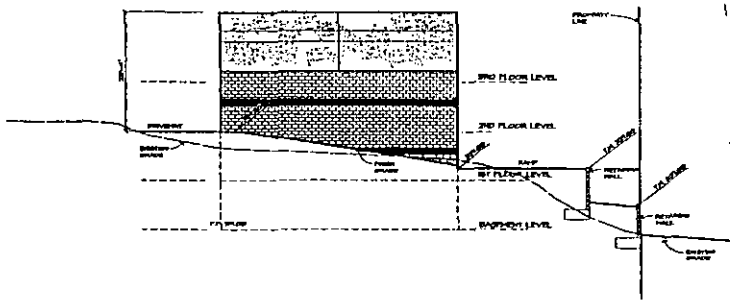
Not to Scale	Revision
Revision 1:	
Revision 2:	
Revision 3:	
Revision 4:	
Revision 5:	
Revision 6:	
Revision 7:	
Revision 8:	
Revision 9:	11-16-06
Revision 10:	0-25-06
Revision 11:	5-15-06
Revision 12:	11-23-09
Revision 13:	9-20-09
Revision 14:	
Revision 15:	
Revision 16:	
Revision 17:	
Revision 18:	
Revision 19:	
Revision 20:	
Revision 21:	
Revision 22:	
Revision 23:	
Revision 24:	
Revision 25:	
Revision 26:	
Revision 27:	
Revision 28:	
Revision 29:	
Revision 30:	
Revision 31:	
Revision 32:	
Revision 33:	
Revision 34:	
Revision 35:	
Revision 36:	
Revision 37:	
Revision 38:	
Revision 39:	
Revision 40:	
Revision 41:	
Revision 42:	
Revision 43:	
Revision 44:	
Revision 45:	
Revision 46:	
Revision 47:	
Revision 48:	
Revision 49:	
Revision 50:	
Revision 51:	
Revision 52:	
Revision 53:	
Revision 54:	
Revision 55:	
Revision 56:	
Revision 57:	
Revision 58:	
Revision 59:	
Revision 60:	
Revision 61:	
Revision 62:	
Revision 63:	
Revision 64:	
Revision 65:	
Revision 66:	
Revision 67:	
Revision 68:	
Revision 69:	
Revision 70:	
Revision 71:	
Revision 72:	
Revision 73:	
Revision 74:	
Revision 75:	
Revision 76:	
Revision 77:	
Revision 78:	
Revision 79:	
Revision 80:	
Revision 81:	
Revision 82:	
Revision 83:	
Revision 84:	
Revision 85:	
Revision 86:	
Revision 87:	
Revision 88:	
Revision 89:	
Revision 90:	
Revision 91:	
Revision 92:	
Revision 93:	
Revision 94:	
Revision 95:	
Revision 96:	
Revision 97:	
Revision 98:	
Revision 99:	
Revision 100:	

007456

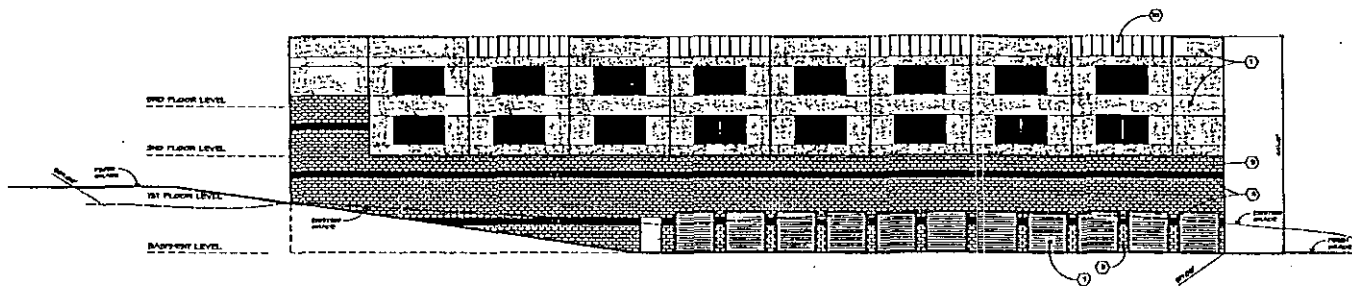


**WEST ELEVATION**

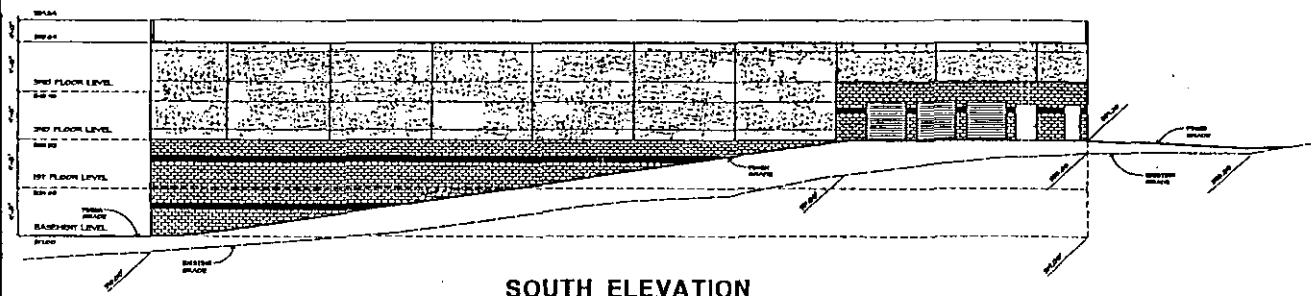
- EXTERIOR FINISH SCHEDULE**
- ① SAND EXTERIOR BRICK
  - ② SAND EXTERIOR BRICK
  - ③ SAND EXTERIOR BRICK
  - ④ SAND EXTERIOR BRICK
  - ⑤ SAND EXTERIOR BRICK
  - ⑥ SAND EXTERIOR BRICK
  - ⑦ SAND EXTERIOR BRICK
  - ⑧ SAND EXTERIOR BRICK
  - ⑨ SAND EXTERIOR BRICK
  - ⑩ SAND EXTERIOR BRICK
  - ⑪ SAND EXTERIOR BRICK
  - ⑫ SAND EXTERIOR BRICK
  - ⑬ SAND EXTERIOR BRICK
  - ⑭ SAND EXTERIOR BRICK
  - ⑮ SAND EXTERIOR BRICK
  - ⑯ SAND EXTERIOR BRICK
  - ⑰ SAND EXTERIOR BRICK
  - ⑱ SAND EXTERIOR BRICK
  - ⑲ SAND EXTERIOR BRICK
  - ⑳ SAND EXTERIOR BRICK
  - ㉑ SAND EXTERIOR BRICK
  - ㉒ SAND EXTERIOR BRICK
  - ㉓ SAND EXTERIOR BRICK
  - ㉔ SAND EXTERIOR BRICK
  - ㉕ SAND EXTERIOR BRICK
  - ㉖ SAND EXTERIOR BRICK
  - ㉗ SAND EXTERIOR BRICK
  - ㉘ SAND EXTERIOR BRICK
  - ㉙ SAND EXTERIOR BRICK
  - ㉚ SAND EXTERIOR BRICK
  - ㉛ SAND EXTERIOR BRICK
  - ㉜ SAND EXTERIOR BRICK
  - ㉝ SAND EXTERIOR BRICK
  - ㉞ SAND EXTERIOR BRICK
  - ㉟ SAND EXTERIOR BRICK
  - ㊱ SAND EXTERIOR BRICK
  - ㊲ SAND EXTERIOR BRICK
  - ㊳ SAND EXTERIOR BRICK
  - ㊴ SAND EXTERIOR BRICK
  - ㊵ SAND EXTERIOR BRICK
  - ㊶ SAND EXTERIOR BRICK
  - ㊷ SAND EXTERIOR BRICK
  - ㊸ SAND EXTERIOR BRICK
  - ㊹ SAND EXTERIOR BRICK
  - ㊺ SAND EXTERIOR BRICK
  - ㊻ SAND EXTERIOR BRICK
  - ㊼ SAND EXTERIOR BRICK
  - ㊽ SAND EXTERIOR BRICK
  - ㊾ SAND EXTERIOR BRICK
  - ㊿ SAND EXTERIOR BRICK



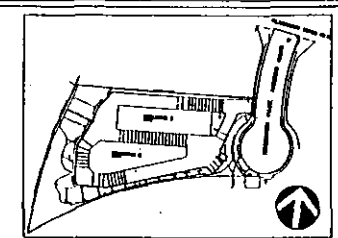
**EAST ELEVATION**



**NORTH ELEVATION**



**SOUTH ELEVATION**

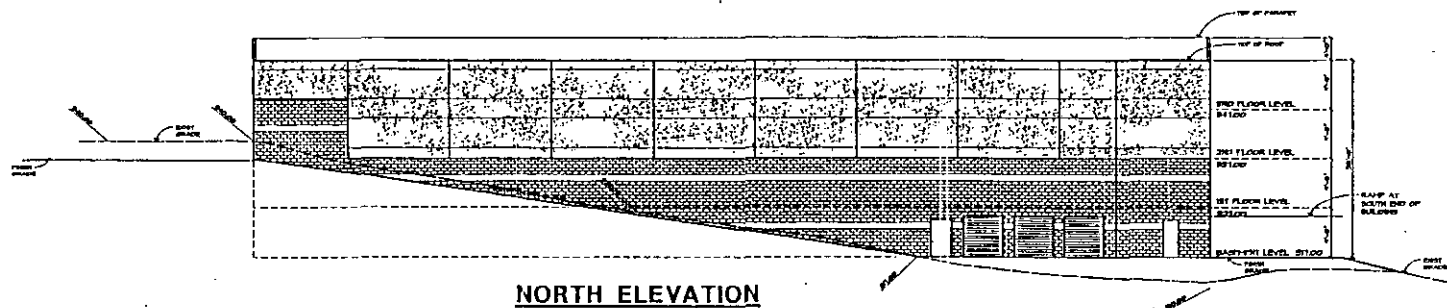


**SITE PLAN**

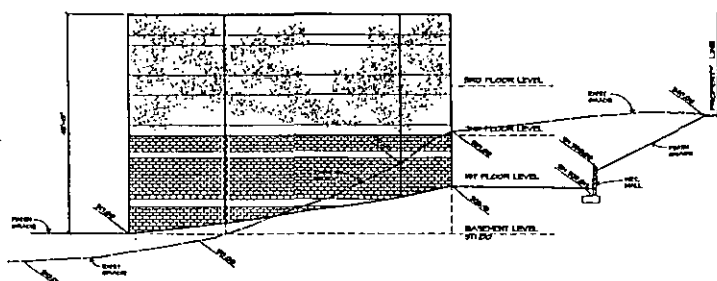
Prepared By:		Revision 10	
RMI ARCHITECTS		Revision 11	
8310 UNIVERSITY AVE.		Revision 12	
LA MESA, CA.		Revision 13	
(619) 455 7011		Revision 14	
Fax (619) 465-2833		Revision 15	
Project Address:		Revision 16	
SAN DIEGO, CA.		Revision 17	
92121		Revision 18	
Project Name:		Revision 19	
TUCKER SELF STORAGE		Revision 20	
WEST PHASE		Revision 21	
Sheet Title:		Revision 22	
Site Development Permit		Revision 23	
EXTERIOR ELEVATIONS		Revision 24	
BUILDING 1		Revision 25	

ATTACHMENT 6

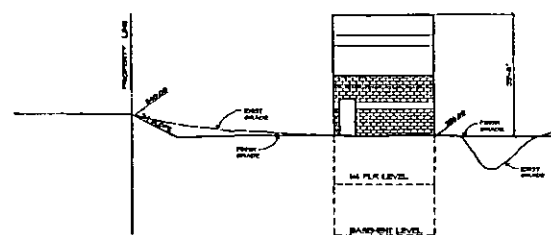
000457



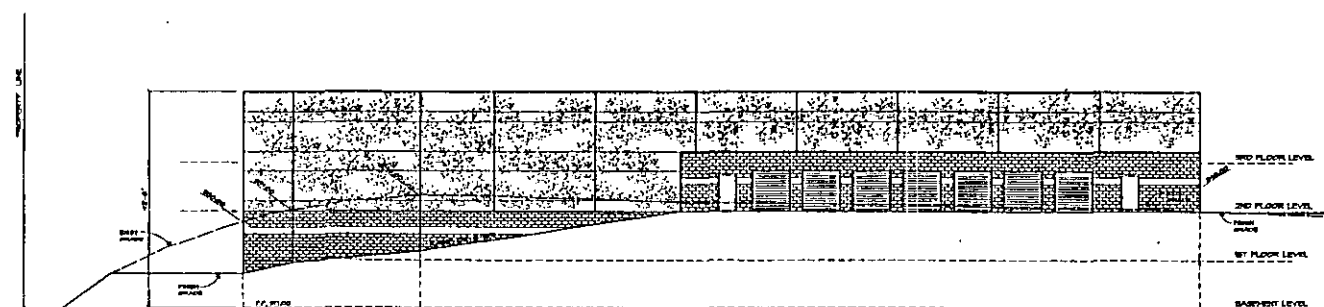
**NORTH ELEVATION**



**WEST ELEVATION**



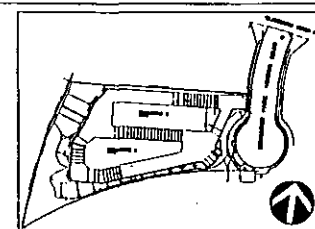
**EAST ELEVATION**



**SOUTH ELEVATION**

**EXTERIOR FINISH SCHEDULE**

1	2ND FLOOR BRICK
2	1ST FLOOR BRICK
3	1ST FLOOR BRICK
4	1ST FLOOR BRICK
5	1ST FLOOR BRICK
6	1ST FLOOR BRICK
7	1ST FLOOR BRICK
8	1ST FLOOR BRICK
9	1ST FLOOR BRICK
10	1ST FLOOR BRICK
11	1ST FLOOR BRICK
12	1ST FLOOR BRICK
13	1ST FLOOR BRICK
14	1ST FLOOR BRICK
15	1ST FLOOR BRICK
16	1ST FLOOR BRICK
17	1ST FLOOR BRICK
18	1ST FLOOR BRICK
19	1ST FLOOR BRICK
20	1ST FLOOR BRICK
21	1ST FLOOR BRICK
22	1ST FLOOR BRICK
23	1ST FLOOR BRICK
24	1ST FLOOR BRICK
25	1ST FLOOR BRICK
26	1ST FLOOR BRICK
27	1ST FLOOR BRICK
28	1ST FLOOR BRICK
29	1ST FLOOR BRICK
30	1ST FLOOR BRICK
31	1ST FLOOR BRICK
32	1ST FLOOR BRICK
33	1ST FLOOR BRICK
34	1ST FLOOR BRICK
35	1ST FLOOR BRICK
36	1ST FLOOR BRICK
37	1ST FLOOR BRICK
38	1ST FLOOR BRICK
39	1ST FLOOR BRICK
40	1ST FLOOR BRICK
41	1ST FLOOR BRICK
42	1ST FLOOR BRICK
43	1ST FLOOR BRICK
44	1ST FLOOR BRICK
45	1ST FLOOR BRICK
46	1ST FLOOR BRICK
47	1ST FLOOR BRICK
48	1ST FLOOR BRICK
49	1ST FLOOR BRICK
50	1ST FLOOR BRICK
51	1ST FLOOR BRICK
52	1ST FLOOR BRICK
53	1ST FLOOR BRICK
54	1ST FLOOR BRICK
55	1ST FLOOR BRICK
56	1ST FLOOR BRICK
57	1ST FLOOR BRICK
58	1ST FLOOR BRICK
59	1ST FLOOR BRICK
60	1ST FLOOR BRICK
61	1ST FLOOR BRICK
62	1ST FLOOR BRICK
63	1ST FLOOR BRICK
64	1ST FLOOR BRICK
65	1ST FLOOR BRICK
66	1ST FLOOR BRICK
67	1ST FLOOR BRICK
68	1ST FLOOR BRICK
69	1ST FLOOR BRICK
70	1ST FLOOR BRICK
71	1ST FLOOR BRICK
72	1ST FLOOR BRICK
73	1ST FLOOR BRICK
74	1ST FLOOR BRICK
75	1ST FLOOR BRICK
76	1ST FLOOR BRICK
77	1ST FLOOR BRICK
78	1ST FLOOR BRICK
79	1ST FLOOR BRICK
80	1ST FLOOR BRICK
81	1ST FLOOR BRICK
82	1ST FLOOR BRICK
83	1ST FLOOR BRICK
84	1ST FLOOR BRICK
85	1ST FLOOR BRICK
86	1ST FLOOR BRICK
87	1ST FLOOR BRICK
88	1ST FLOOR BRICK
89	1ST FLOOR BRICK
90	1ST FLOOR BRICK
91	1ST FLOOR BRICK
92	1ST FLOOR BRICK
93	1ST FLOOR BRICK
94	1ST FLOOR BRICK
95	1ST FLOOR BRICK
96	1ST FLOOR BRICK
97	1ST FLOOR BRICK
98	1ST FLOOR BRICK
99	1ST FLOOR BRICK
100	1ST FLOOR BRICK



**SITE PLAN**

Prepared By:

RMI ARCHITECTS  
8370 UNIVERSITY AVE.  
LA MESA, CA.  
(619) 465 2011  
Fax (619) 465 2833

Project Address:

SAN DIEGO, CA.  
92121

Project Name:

TUCKER SELF STORAGE  
WEST PHASE

Sheet Title:

Site Development Permit  
EXTERIOR ELEVATIONS  
BUILDING 2

Revision 1: \_\_\_\_\_

Revision 2: \_\_\_\_\_

Revision 3: \_\_\_\_\_

Revision 4: \_\_\_\_\_

Revision 5: \_\_\_\_\_

Revision 6: \_\_\_\_\_

Revision 7: \_\_\_\_\_

Revision 8: \_\_\_\_\_

Revision 9: \_\_\_\_\_

Revision 10: \_\_\_\_\_

Revision 11: \_\_\_\_\_

Revision 12: \_\_\_\_\_

Revision 13: \_\_\_\_\_

Revision 14: \_\_\_\_\_

Revision 15: \_\_\_\_\_

Revision 16: \_\_\_\_\_

Revision 17: \_\_\_\_\_

Revision 18: \_\_\_\_\_

Revision 19: \_\_\_\_\_

Revision 20: \_\_\_\_\_

Revision 21: \_\_\_\_\_

Revision 22: \_\_\_\_\_

Revision 23: \_\_\_\_\_

Revision 24: \_\_\_\_\_

Revision 25: \_\_\_\_\_

Revision 26: \_\_\_\_\_

Revision 27: \_\_\_\_\_

Revision 28: \_\_\_\_\_

Revision 29: \_\_\_\_\_

Revision 30: \_\_\_\_\_

Revision 31: \_\_\_\_\_

Revision 32: \_\_\_\_\_

Revision 33: \_\_\_\_\_

Revision 34: \_\_\_\_\_

Revision 35: \_\_\_\_\_

Revision 36: \_\_\_\_\_

Revision 37: \_\_\_\_\_

Revision 38: \_\_\_\_\_

Revision 39: \_\_\_\_\_

Revision 40: \_\_\_\_\_

Revision 41: \_\_\_\_\_

Revision 42: \_\_\_\_\_

Revision 43: \_\_\_\_\_

Revision 44: \_\_\_\_\_

Revision 45: \_\_\_\_\_

Revision 46: \_\_\_\_\_

Revision 47: \_\_\_\_\_

Revision 48: \_\_\_\_\_

Revision 49: \_\_\_\_\_

Revision 50: \_\_\_\_\_

Revision 51: \_\_\_\_\_

Revision 52: \_\_\_\_\_

Revision 53: \_\_\_\_\_

Revision 54: \_\_\_\_\_

Revision 55: \_\_\_\_\_

Revision 56: \_\_\_\_\_

Revision 57: \_\_\_\_\_

Revision 58: \_\_\_\_\_

Revision 59: \_\_\_\_\_

Revision 60: \_\_\_\_\_

Revision 61: \_\_\_\_\_

Revision 62: \_\_\_\_\_

Revision 63: \_\_\_\_\_

Revision 64: \_\_\_\_\_

Revision 65: \_\_\_\_\_

Revision 66: \_\_\_\_\_

Revision 67: \_\_\_\_\_

Revision 68: \_\_\_\_\_

Revision 69: \_\_\_\_\_

Revision 70: \_\_\_\_\_

Revision 71: \_\_\_\_\_

Revision 72: \_\_\_\_\_

Revision 73: \_\_\_\_\_

Revision 74: \_\_\_\_\_

Revision 75: \_\_\_\_\_

Revision 76: \_\_\_\_\_

Revision 77: \_\_\_\_\_

Revision 78: \_\_\_\_\_

Revision 79: \_\_\_\_\_

Revision 80: \_\_\_\_\_

Revision 81: \_\_\_\_\_

Revision 82: \_\_\_\_\_

Revision 83: \_\_\_\_\_

Revision 84: \_\_\_\_\_

Revision 85: \_\_\_\_\_

Revision 86: \_\_\_\_\_

Revision 87: \_\_\_\_\_

Revision 88: \_\_\_\_\_

Revision 89: \_\_\_\_\_

Revision 90: \_\_\_\_\_

Revision 91: \_\_\_\_\_

Revision 92: \_\_\_\_\_

Revision 93: \_\_\_\_\_

Revision 94: \_\_\_\_\_

Revision 95: \_\_\_\_\_

Revision 96: \_\_\_\_\_

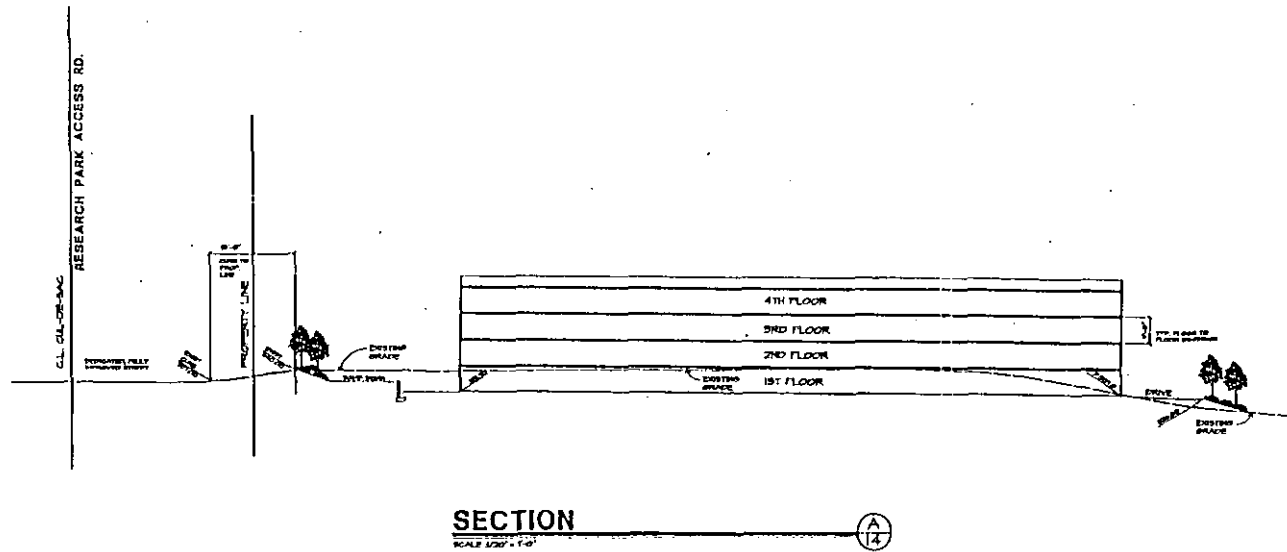
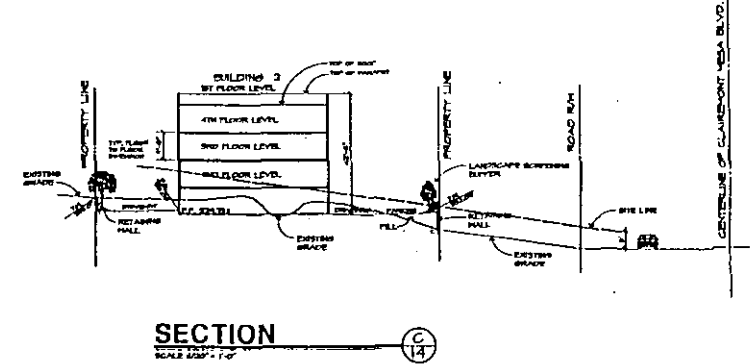
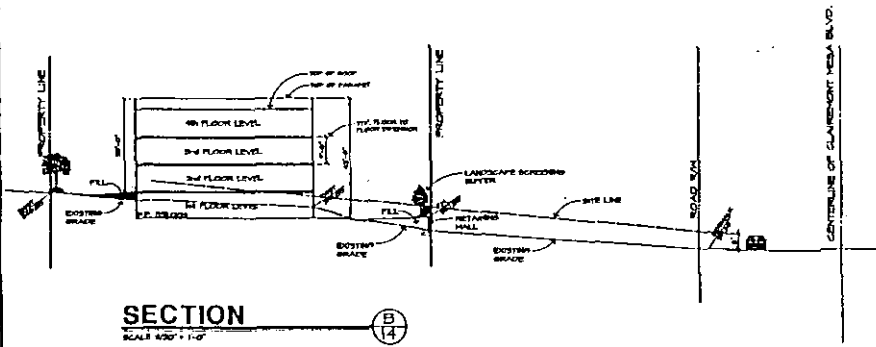
Revision 97: \_\_\_\_\_

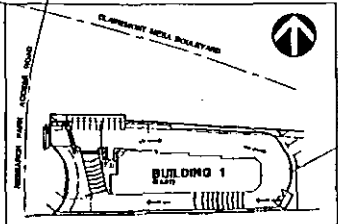
Revision 98: \_\_\_\_\_

Revision 99: \_\_\_\_\_

Revision 100: \_\_\_\_\_

000458





**SITE PLAN**

Prepared By:

RMB ARCHITECTS

8330 UNIVERSITY AVE.

LA MESA, CA.

(619) 465-2011

Fax (619) 465-2833

Project Address:

SAN DIEGO, CA.

92121

Project Name:

JUCKER SELF STORAGE

EAST PHASE

Sheet Title:

Site Development Permit

SITE SECTIONS

Scale to Scale:

Revision 12

Revision 11

Revision 10

Revision 9

Revision 8

Revision 7

Revision 6

Revision 5

Revision 4

Revision 3

Revision 2

Revision 1

Original Date:

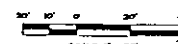
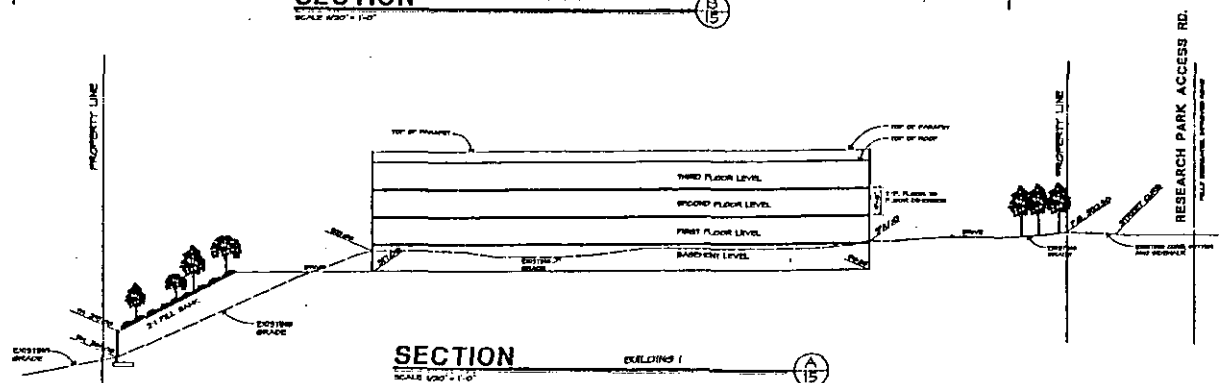
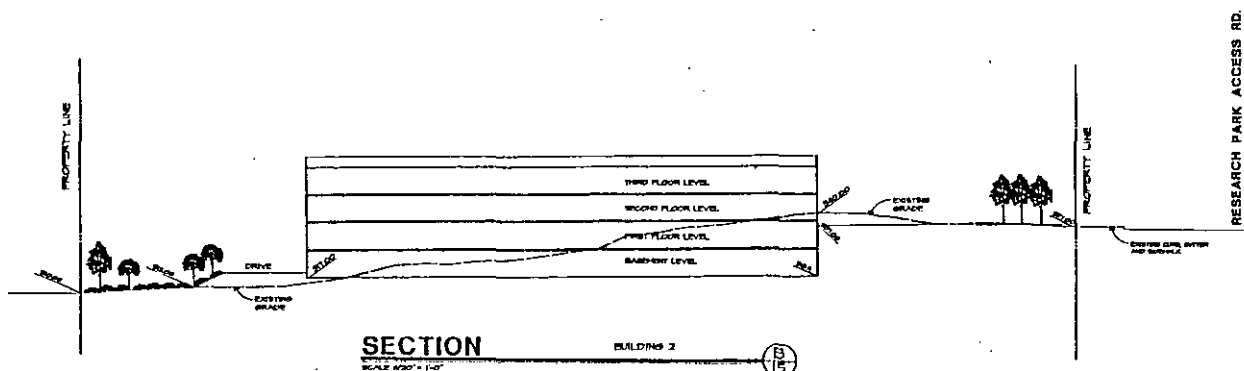
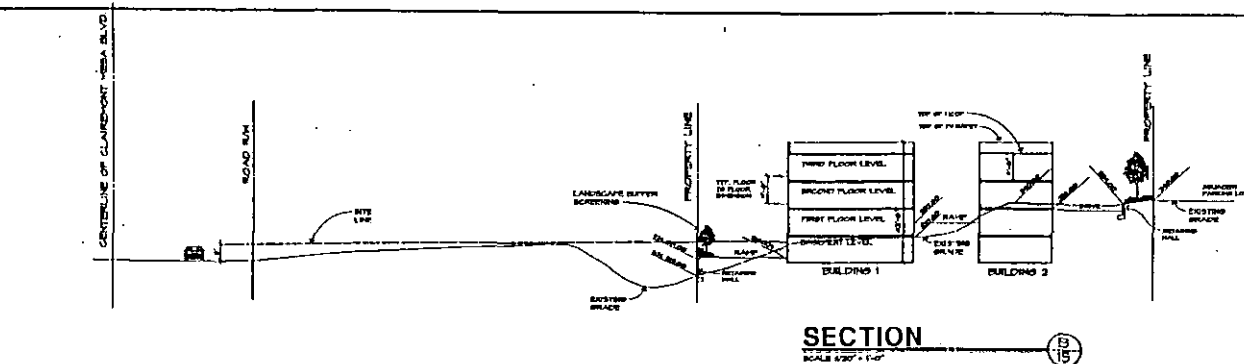
9-10-05

Sheet 14 of 14

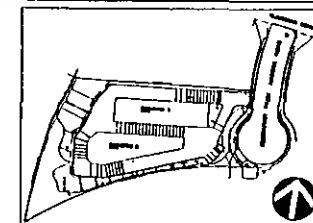
LDR P

EAST SIDE- PARCEL B

000459



WEST SIDE- PARCEL A



## SITE PLAN

### Not to Scale

Prepared By:  
RMI ARCHITECTS  
8330 UNIVERSITY AVE.  
LA MESA, CA.  
(619) 465-2011  
Fax (619) 465-2833

Project Address:

SAN DIEGO, CA  
92121

Project Name:  
TUCKER SELF STORAGE  
WEST PHASE

Sheet Title:  
Site Development Permit  
SITE SECTIONS

[illegible]

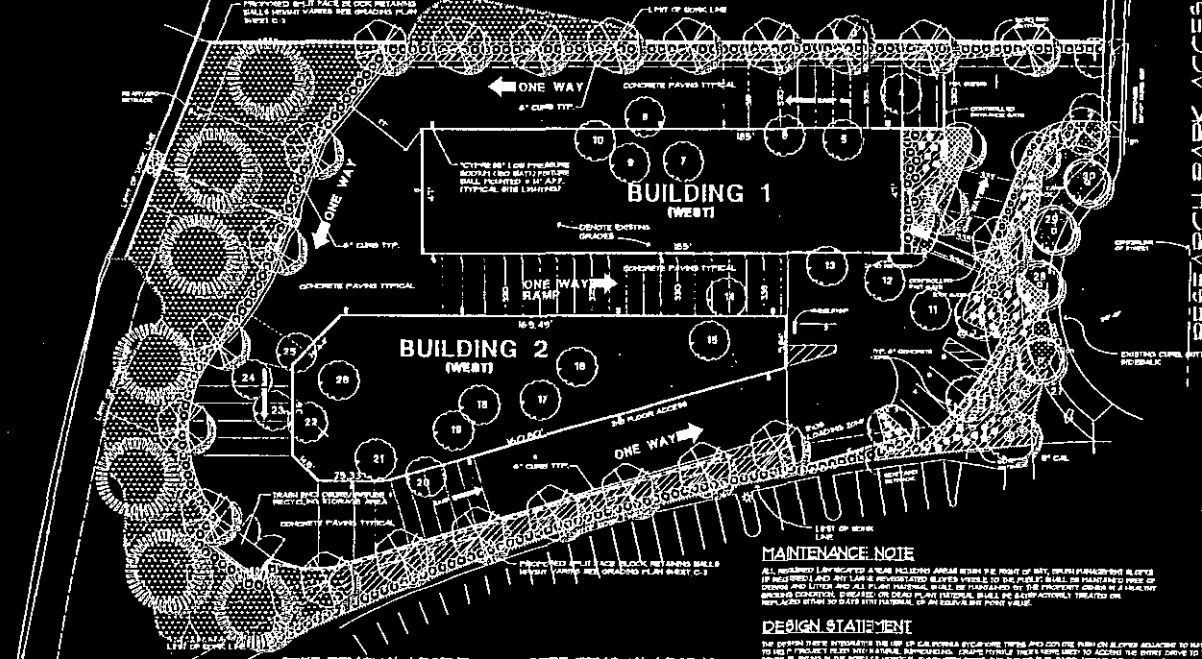


# PLANT LEGEND

TREES	BOTANICAL NAME	DESCRIPTION	PERCENTAGE / SIZE	QUANTITY
	GREVILLEA ANGUSTIFOLIA	EVERGREEN SHADE TREE 30' HEIGHT X 10' X 10' SPREAD (ROUND TOP)	100% 12' BOW	1
	LANтана CAMARA	PERENNIAL FLORIFEROUS ACCENT TREE 30' HEIGHT X 10' X 10' SPREAD (ROUND TOP)	100% 12' BOW	1
	HIBISCUS GRANDIFOLIUS	PERENNIAL FLORIFEROUS SHADE TREE 30' HEIGHT X 10' X 10' SPREAD (ROUND TOP)	100% 12' BOW	1
	PLATANE AESTIVALIS	PERENNIAL FLORIFEROUS SHADE TREE 30' HEIGHT X 10' X 10' SPREAD (ROUND TOP)	100% 12' BOW	1

TREES - FOR RE-VEGETATION AREAS ON NATURAL SLOPES	BOTANICAL NAME	DESCRIPTION	PERCENTAGE / SIZE	QUANTITY
	EUCALYPTUS GRANDIS	PERENNIAL FLORIFEROUS SHADE TREE 30' HEIGHT X 10' X 10' SPREAD (ROUND TOP)	100% 12' BOW	1

SYMBOL	BOTANICAL NAME	DESCRIPTION	PERCENTAGE / SIZE	QUANTITY
	Bougainvillea spectabilis	CLIMBERING VINE	100% 12' BOW	1
	Lantana camara	PERENNIAL FLORIFEROUS ACCENT TREE	100% 12' BOW	1
	Hibiscus grandifolius	PERENNIAL FLORIFEROUS SHADE TREE	100% 12' BOW	1
	Platane aestivalis	PERENNIAL FLORIFEROUS SHADE TREE	100% 12' BOW	1



TREE REMOVAL LEGEND	TREE REMOVAL LEGEND
1. CA POMEA POTTEN	1. CA POMEA POTTEN
2. CA POMEA POTTEN	2. CA POMEA POTTEN
3. CA POMEA POTTEN	3. CA POMEA POTTEN
4. CA POMEA POTTEN	4. CA POMEA POTTEN
5. CA POMEA POTTEN	5. CA POMEA POTTEN
6. CA POMEA POTTEN	6. CA POMEA POTTEN
7. CA POMEA POTTEN	7. CA POMEA POTTEN
8. CA POMEA POTTEN	8. CA POMEA POTTEN
9. CA POMEA POTTEN	9. CA POMEA POTTEN
10. CA POMEA POTTEN	10. CA POMEA POTTEN
11. CA POMEA POTTEN	11. CA POMEA POTTEN
12. CA POMEA POTTEN	12. CA POMEA POTTEN
13. CA POMEA POTTEN	13. CA POMEA POTTEN
14. CA POMEA POTTEN	14. CA POMEA POTTEN
15. CA POMEA POTTEN	15. CA POMEA POTTEN
16. CA POMEA POTTEN	16. CA POMEA POTTEN
17. CA POMEA POTTEN	17. CA POMEA POTTEN
18. CA POMEA POTTEN	18. CA POMEA POTTEN
19. CA POMEA POTTEN	19. CA POMEA POTTEN
20. CA POMEA POTTEN	20. CA POMEA POTTEN
21. CA POMEA POTTEN	21. CA POMEA POTTEN
22. CA POMEA POTTEN	22. CA POMEA POTTEN
23. CA POMEA POTTEN	23. CA POMEA POTTEN
24. CA POMEA POTTEN	24. CA POMEA POTTEN
25. CA POMEA POTTEN	25. CA POMEA POTTEN
26. CA POMEA POTTEN	26. CA POMEA POTTEN
27. CA POMEA POTTEN	27. CA POMEA POTTEN
28. CA POMEA POTTEN	28. CA POMEA POTTEN
29. CA POMEA POTTEN	29. CA POMEA POTTEN
30. CA POMEA POTTEN	30. CA POMEA POTTEN

TREE REMOVAL LEGEND	TREE REMOVAL LEGEND
1. CA POMEA POTTEN	1. CA POMEA POTTEN
2. CA POMEA POTTEN	2. CA POMEA POTTEN
3. CA POMEA POTTEN	3. CA POMEA POTTEN
4. CA POMEA POTTEN	4. CA POMEA POTTEN
5. CA POMEA POTTEN	5. CA POMEA POTTEN
6. CA POMEA POTTEN	6. CA POMEA POTTEN
7. CA POMEA POTTEN	7. CA POMEA POTTEN
8. CA POMEA POTTEN	8. CA POMEA POTTEN
9. CA POMEA POTTEN	9. CA POMEA POTTEN
10. CA POMEA POTTEN	10. CA POMEA POTTEN
11. CA POMEA POTTEN	11. CA POMEA POTTEN
12. CA POMEA POTTEN	12. CA POMEA POTTEN
13. CA POMEA POTTEN	13. CA POMEA POTTEN
14. CA POMEA POTTEN	14. CA POMEA POTTEN
15. CA POMEA POTTEN	15. CA POMEA POTTEN
16. CA POMEA POTTEN	16. CA POMEA POTTEN
17. CA POMEA POTTEN	17. CA POMEA POTTEN
18. CA POMEA POTTEN	18. CA POMEA POTTEN
19. CA POMEA POTTEN	19. CA POMEA POTTEN
20. CA POMEA POTTEN	20. CA POMEA POTTEN
21. CA POMEA POTTEN	21. CA POMEA POTTEN
22. CA POMEA POTTEN	22. CA POMEA POTTEN
23. CA POMEA POTTEN	23. CA POMEA POTTEN
24. CA POMEA POTTEN	24. CA POMEA POTTEN
25. CA POMEA POTTEN	25. CA POMEA POTTEN
26. CA POMEA POTTEN	26. CA POMEA POTTEN
27. CA POMEA POTTEN	27. CA POMEA POTTEN
28. CA POMEA POTTEN	28. CA POMEA POTTEN
29. CA POMEA POTTEN	29. CA POMEA POTTEN
30. CA POMEA POTTEN	30. CA POMEA POTTEN

## MINIMUM TREE SEPARATION DISTANCE

MINIMUM TREE SEPARATION DISTANCE: 30 FEET  
 MINIMUM TREE SEPARATION DISTANCE: 30 FEET  
 MINIMUM TREE SEPARATION DISTANCE: 30 FEET

## ROOT BARRIER NOTE

ALL TREES SHALL BE PLANTED WITH A ROOT BARRIER AT THE PLANTER LOCATION.

## NOTE

ALL REQUIRED LANDSCAPE AREAS MUST BE MAINTAINED BY OWNER.

## IRRIGATION METHOD

AN AUTOMATIC IRRIGATION SYSTEM SHALL BE PROVIDED AS NECESSARY FOR PROPER IRRIGATION. THE SYSTEM SHALL BE MAINTAINED BY THE OWNER. THE SYSTEM SHALL BE MAINTAINED BY THE OWNER.

## CITY NOTE

ALL LANDSCAPE AND IRRIGATION SHALL COMPLY WITH THE STANDARDS OF THE CITY OF SAN DIEGO. ALL LANDSCAPE AND IRRIGATION SHALL COMPLY WITH THE STANDARDS OF THE CITY OF SAN DIEGO.

## DESIGNED MATCH NOTE

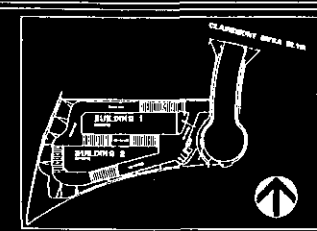
ALL PLANTING SHALL BE DONE BY A QUALIFIED CONTRACTOR. ALL PLANTING SHALL BE DONE BY A QUALIFIED CONTRACTOR.

## REVEGETATION NOTE

ALL AREAS TO BE REVEGETATED SHALL BE DONE BY A QUALIFIED CONTRACTOR. ALL AREAS TO BE REVEGETATED SHALL BE DONE BY A QUALIFIED CONTRACTOR.

## GRADED PAD NOTE

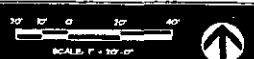
ALL AREAS TO BE GRADED SHALL BE DONE BY A QUALIFIED CONTRACTOR. ALL AREAS TO BE GRADED SHALL BE DONE BY A QUALIFIED CONTRACTOR.



## SITE PLAN

Prepared By:	ENVIRONS, INC.
28th St Foothill Blvd.	28th St Foothill Blvd.
San Diego, CA 92111	San Diego, CA 92111
(619) 626-4663	(619) 626-4663
Fax (619) 626-0448	Fax (619) 626-0448
Project Address:	Project Address:
San Diego, CA	San Diego, CA
92121	92121
Project Name:	Project Name:
TUCKER SELF STORAGE	TUCKER SELF STORAGE
WEST PHASE	WEST PHASE
Sheet Title:	Sheet Title:
Site Development Permit	Site Development Permit
Scale:	Scale:
1" = 10' - 0"	1" = 10' - 0"

## LANDSCAPE DEVELOPMENT PLAN



000463

**RECORDING REQUESTED BY**  
CITY OF SAN DIEGO  
DEVELOPMENT SERVICES DEPARTMENT  
PERMIT INTAKE, MAIL STATION 501

**WHEN RECORDED MAIL TO**  
**CITY CLERK**  
**MAIL STATION 2A**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER 004556/PTS NO. 67993

**SITE DEVELOPMENT PERMIT NO. 205536**  
**TUCKER SELF STORAGE (MMRP)**  
**CITY COUNCIL**

This Site Development Permit (SDP) No. 205536 is granted by the City Council of the City of San Diego to the City of San Diego/Owner, and Andy Kruizsch/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0504. The 3.35-acre site is located at 9765 Clairemont Mesa Boulevard in the IL-2-1 zone of the Tierrasanta Community Plan. The project site is legally described as Parcel A and B of Lot 2, of Map No. 825. Subject to the terms and conditions set forth in this Permit, permission is granted to the Permittee to construct three self storage buildings totaling 120,183 square feet on two adjacent parcels (Parcel "A" West Phase, a 68,868 square-foot parcel, and Parcel "B" East Phase, a 51,315 square-foot parcel), described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated [INSERT Approval Date], on file in the Development Services Department.

The project or facility shall include:

- a. Development on Parcel "A" West Phase would consist of (2) three-story buildings sitting atop a basement. Parcel "A" Building (1) would consist of 8,695 square feet for each of the (3) floors and the basement, for a total of 34,780 square feet. Parcel "A" Building (2) would consist of 8,522 square feet for each of the (3) floors and the basement for a total of 34,088 square-feet.
- b. Development on Parcel "B" East Phase would consist of (1) four-story building with 12,765 square feet for the first floor and 12,850 square feet each for floors (2) through (4), of the Parcel "B" Building. The total square footage for this Building would be 51,315 square feet. The three and four story structures would include self-storage on all building levels,



with an office, lobby, and reception area on the first floor of Parcel "B" East Phase Building;

- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking facilities shall consist of a minimum of 15 parking spaces including 2 accessible spaces plus 2 loading zone spaces;
- e. Hours of operation shall be 7:00 am to 7:00 pm daily; and
- f. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

#### **STANDARD REQUIREMENTS:**

1. Construction, grading or demolition must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.

2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. The Permittee signs and returns the Permit to the Development Services Department; and
- b. The Permit is recorded in the Office of the San Diego County Recorder.

3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.

4. This Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.

5. The utilization and continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

6. Issuance of this Permit by the City of San Diego does not authorize the Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the ESA and by the California Department of Fish and Game [CDFG] pursuant to Fish and Game Code section 2835 as part of the Multiple Species Conservation Program [MSCP], the City of San Diego through the issuance of this Permit hereby confers upon Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO 18394. Third Party Beneficiary status is conferred upon Permittee by the City: (1) to grant Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFG, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Permittee of mitigation obligations required by this Permit, as described in accordance with Section 17.1D of the IA.

8. The Permittee shall secure all necessary building permits. The Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

9. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. Plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

10. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit is required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the

- findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

11. This Permit shall become effective with recordation of the corresponding final parcel map for and approval of the project site.
12. This Permit may be developed in phases. Each phase shall be constructed prior to sale or lease to individual owners or tenants to ensure that all development is consistent with the conditions and exhibits approved for each respective phase (per the approved exhibits).

#### **ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

13. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program [MMRP]. These MMRP conditions are incorporated into the permit by reference or authorization for the project.
14. As conditions of Site Development Permit (SDP) No. 205536 and Planned Development No. 205537, the mitigation measures specified in the MMRP, and outlined in the Mitigated Negative Declaration, LDR No. 67993 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.
15. The Permittee shall comply with the Mitigation, Monitoring, and Reporting Program [MMRP] as specified in the Mitigated Negative Declaration, LDR No. 67993 satisfactory to the City Manager and City Engineer. To the extent any mitigation requirements are to be fulfilled during or after grading or construction, the Permittee shall demonstrate to the satisfaction of the City Engineer prior to the issuance of the first grading permit that measures have been implemented to ensure that such mitigation requirements will be fulfilled. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

General; Biological Resources; Paleontological Resources; and Health and Safety.

16. Prior to issuance of any construction permit, the applicant shall pay the Long Term Monitoring Fee in accordance with the Development Services Fee Schedule to cover the City's costs associated with implementation of permit compliance monitoring.

#### **ENGINEERING REQUIREMENTS:**

17. Prior to the issuance of any construction permit; the Permittee shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practices (BMP's) maintenance.

18. Prior to the issuance of any construction permit, the applicant shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.
19. Prior to the issuance of any construction permits the Permittee shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, in accordance with the approved Water Quality Technical Report.
20. The drainage system proposed for this development is private and subject to approval by the City Engineer.
21. Prior to the issuance of a building permit the Permittee shall obtain a grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
22. This project proposes to export 13,750 cubic yards of material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow the onsite processing and sale of the export material unless the underlying zone allows a construction and demolition debris recycling facility with an approved Neighborhood Use Permit or Conditional Use Permit per LDC Section 141.0620(i).
23. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent (NOI) shall be filed with the SWRCB.
24. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received. In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 99 08 DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 99 08 DWQ.

**LANDSCAPE REQUIREMENTS: LANDSCAPE REQUIREMENTS:**

25. In the event that the Landscape Plan and the Site Plan conflict, the Site Plan shall be revised to be consistent with the Landscape Plan such that landscape areas are consistent with the Exhibit "A," Landscape Development Plan dated January 22, 2007.

26. Prior to issuance of any construction permits for public right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the City Manager for approval. Improvement plans shall take into account a 40-square foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees. In no event shall there be less than nine street trees within the public right of way.

27. Prior to issuance of any construction permits for buildings (including shell), complete landscape and irrigation construction documents consistent with the Land Development Manual: Landscape Standards shall be submitted to the City Manager for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, dated January 22, 2007, on file in the Office of the Development Services Department. Construction plans shall take into account a 40-square foot area around each tree which is unencumbered by hardscape and utilities as set forth under Land Development Codes (LDC) section 142.0403(b) 5.

28. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Permittee or subsequent Permittee to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees. Copies of these approved documents must be submitted to the City Manager.

29. Prior to issuance of any grading permit, to include slope restoration, the Permittee or subsequent Permittee shall enter into a Landscape Establishment/Maintenance Agreement (LEMA) to assure long-term establishment and maintenance of the slope areas. The LEMA shall be approved by the Landscape Section of Development Services and the City Manager. The agreement shall commence prior to release of the performance bond with Permittee or subsequent Permittee posting a new bond to cover the terms of the agreement.

30. Construction Documents for grading shall include the following note:  
 "Installation of landscaping associated with these construction documents shall require a minimum short-term establishment period of 120 days for all native/naturalized slope restoration and a minimum long-term establishment/maintenance period of 25 months. Final approval of the required landscaping shall be to the satisfaction of the Mitigation Monitoring Coordination Section of the Development Services Department.

31. The Permittee or subsequent Permittee shall be responsible for the installation and maintenance of all landscape improvements consistent with the Land Development Code: Landscape Regulations and the Land Development Manual: Landscape Standards. Invasive species are prohibited from being planted adjacent to any canyon, water course, wet land or native habitats within the city limits of San Diego. Invasive plants are those which rapidly self propagate by air born seeds or trailing as noted in section 1.3 of the Landscape Standards.

32. All proposed retaining, screening/privacy walls and or fences visible from the public right of way shall be screened with an evergreen vine, shrub and or tree or any combination of these plant materials to ensure that it will cover 80% percent of the walls in two years.

33. The Permittee or subsequent Permittee shall be responsible to ensure that irrigation drainage run off shall be directed away from the Multiple Habitat Preserve Area or from the transitional areas to ensure that no impacts occur in these areas.

34. Prior to issuance of grading permits, interim landscape and erosion control measures, including hydroseeding of all disturbed land (all slopes and pads), shall be submitted to the satisfaction of the City Manager (including the City's Environmental Analysis Section) and City Engineer. All plans shall be in substantial conformance to Exhibit "A," and all other applicable conditions of related permits.

35. The timely erosion control including planting and seeding of all slopes and pads consistent with the approved plans is considered to be in the public interest and the Permittee shall initiate such measures within forty-five days from the date that the grading of the site is deemed to be complete. Such erosion control and the associated irrigation systems (temporary for all slopes and permanent for pads) and appurtenances shall be installed in accordance with the approved plans and with the Landscape Standards of the Land Development Manual.

36. All required landscape shall be maintained in a disease, weed, and litter free condition at all times and shall not be modified or altered unless this Permit has been amended. Modifications such as severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit. The Permittee shall be responsible to maintain all street trees and landscape improvements consistent with the standards of the Land Development Manual.

37. If any required landscape (including, but not limited to, existing or new plantings, hardscape, landscape features) indicated on the approved plans is damaged or removed during demolition, it shall be repaired or replaced in kind and equivalent size per the approved plans within thirty days of completion of construction by the Permittee. The replacement size of plant material after three years shall be the equivalent size of that plant at the time of removal (the largest size commercially available or an increased

#### **PLANNING/DESIGN REQUIREMENTS:**

38. No fewer than 15 parking spaces including 2 accessible spaces plus 2 loading zone spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the City Manager.

39. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as a condition of

approval of this Permit. Where there is a conflict between a condition (including exhibits) of this Permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.

40. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections) or the maximum permitted building height of the underlying zone, whichever is lower, unless a deviation or variance to the height limit has been granted as a specific condition of this Permit.

41. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Permittee.

42. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

43. Prior to the issuance of any building permit. The Permittee shall record a covenant of easement against the title to the affected premises and executed in favor of the City. The Permittee shall draft the covenant of easement as follows:

- a. to contain a legal description of the premises affected by the permit with a description of the development area and the environmentally sensitive lands that will be preserved;
- b. to impart notice to all persons to the extent afforded by the recording laws of the state regarding the restrictions affecting use of the environmentally sensitive lands covered by the permit to ensure that the burdens of the covenant shall be binding upon;
- c. the benefits of the covenant shall inure to, all successors in interest to the affected premises; and
- d. to ensure enforceability of the covenant of easement by the City.

44. All signs associated with this development shall be consistent with sign criteria established by either of the following:

- a. Approved project sign plan Exhibit "A;" or
- b. Citywide sign regulations.

45. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located.

46. Prior to the issuance of any building permits, complete outdoor lighting information shall be submitted to the Development Services Department, Land Development Review Division, for review and approval. Complete lighting information shall include a plan view photometric analysis indicating an isofoot candle plot and a point by point plot to include all areas within the private property and to extend a minimum of 50-feet beyond the property line, construction details as necessary to direct installation of the outdoor lighting system, manufacturers name, visors, prisms, lenses and reflectors and a lighting plan locating each fixture in plan view and a legend. The outdoor lighting system shall be designed, manufactured and installed to allow shading, adjusting, and shielding of the light source so all outdoor lighting is directed to fall only onto the same premises as light sources are located.

47. Prior to the issuance of any occupancy permit, a night inspection shall be required to verify compliance of the outdoor lighting system. No light shall be directed to fall outside the property line. Light levels along the perimeter of the property shall be measured no higher than three footcandles. Light levels throughout the development shall be the least practical level necessary to effectively illuminate the operation. Sky glow or light halo shall be reduced to the greatest extent practical and in no case shall initial light levels be measured exceeding eight footcandles anywhere within the site. The Permittee, or an authorized representative, shall provide an illuminance meter to measure light levels as required to establish conformance with the conditions of this Permit during the night inspection. Night inspections may be required additional fees as determined by the City Manager.

48. The use of textured or enhanced paving shall meet applicable City standards as to location, noise and friction values.

49. The subject property and associated common areas on site shall be maintained in a neat and orderly fashion at all times.

50. All uses, except storage and loading, shall be conducted entirely within an enclosed building. Outdoor storage of merchandise, material and equipment is permitted in any required interior side or rear yard, provided the storage area is completely enclosed by walls, fences, or a combination thereof. Walls or fences shall be solid and not less than six feet in height and, provided further, that no merchandise, material or equipment stored not higher than any adjacent wall.

51. No mechanical equipment, tank, duct, elevator enclosure, cooling tower, mechanical ventilator, or air conditioner shall be erected, constructed, converted, established, altered, or enlarged on the roof of any building, unless all such equipment and appurtenances are contained within a completely enclosed structure whose top and sides may include grillwork, louvers, and latticework.

52. No merchandise, material, or equipment shall be stored on the roof of any building.



53. No mechanical equipment shall be erected, constructed, or enlarged on the roof of any building on this site, unless all such equipment is contained within a completely enclosed architecturally integrated structure.

54. Prior to the issuance of building permits, construction documents shall fully illustrate compliance with the Citywide Storage Standards for Trash and Recyclable Materials (SDMC) to the satisfaction of the City Manager. All exterior storage enclosures for trash and recyclable materials shall be located in a manner that is convenient and accessible to all occupants of and service providers to the project, in substantial conformance with the conceptual site plan marked Exhibit "A."

#### **TRANSPORTATION REQUIREMENTS:**

55. Whenever street rights-of-way are required to be dedicated, it is the responsibility of the applicant to provide the right-of-way free and clear of all encumbrances and prior easements. The subdivider must secure "subordination agreements" for minor distribution facilities and/or "joint-use agreements" for major transmission facilities.

56. The Permittee shall construct a 26-foot and 24-foot wide City Standard driveway, adjacent to the westerly and easterly site, respectively, on Research Park Access Road. All work shall be completed and accepted by the City Engineer, prior to building occupancy.

57. The Permittee shall construct a minimum 20-foot wide emergency access for Parcel B on the east side, satisfactory to the City Engineer.

58. The Permittee shall dedicate a 1-foot right-of-way along the east side of the project and shall dedicate 2-feet along the west side of the project to provide 10-foot curb to property line distance, satisfactory to the City Engineer

59. This project shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 297376, filed November 25, 2002) and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 (Resolution R-296141) satisfactory to the City Engineer. This may require (but not be limited to) installation of new street light(s), upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage.

#### **WASTEWATER REQUIREMENTS:**

60. All on-site wastewater systems shall be private.

61. All proposed public sewer facilities are to be designed and constructed in accordance with established criteria in the most current City of San Diego sewer design guide. Proposed facilities that do not meet the current standards shall be private or re-designed.

62. The Permittee shall design and construct all proposed private sewer facilities to conform with the most current State, Federal and City Regulations, and to the

requirements of the most current edition of the Metropolitan Wastewater Department Sewer Design Guide or the California Uniform Plumbing Code as adopted by the City of San Diego.

#### **WATER REQUIREMENTS:**

63. Prior to the issuance of any building permits Permittee shall assure, by permit and bond, the design and construction of new water service(s) and the removal of all existing unused services within the Research Park Access Road right-of-way, in a manner satisfactory to the Water Department Director and the City Engineer.

64. Prior to the issuance of any building permits the Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s) on each water service (domestic, fire, and irrigation), in a manner satisfactory to the Water Department Director, the City Engineer, and the Cross Connection Supervisor in the Customer Support Division of the Water Department.

65. Prior to the issuance of any certificates of occupancy, public water facilities necessary to serve the development, including services, shall be complete and operational in a manner satisfactory to the Water Department Director and the City Engineer.

66. Prior to the issuance of any certificates of occupancy, the Permittee shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer.

67. The Permittee agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Water facilities as shown on the approved Exhibit "A" shall be modified at final engineering to comply with standards.

#### **GEOLOGY REQUIREMENT**

68. Geotechnical review will be required at final grading and building plans.

#### **INFORMATION ONLY:**

Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code section 66020.

APPROVED by the City Council of the City of San Diego on  
[INSERT Date and Resolution Number] .

006474

AUTHENTICATED BY THE CITY MANAGER

By \_\_\_\_\_

\_\_\_\_\_  
The undersigned Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Permittee hereunder.

[INSERT NAME OF OWNER]  
Owner/Permittee

By \_\_\_\_\_

By \_\_\_\_\_

**NOTE: Notary acknowledgments  
must be attached per Civil Code  
section 1180 et seq.**

(R-INSERT)

RESOLUTION NUMBER R-NUMBER

ADOPTED ON DATE

WHEREAS, Andy Krutzsch, Permittee, and the City of San Diego filed an application for Site Development Permit (SDP) No. 205536 to construct a 120,183 square foot self storage facility known as the Tucker Self-Storage project, located at 9765 Clairemont Mesa Boulevard, and legally described as Parcel A and B of Lot 2 of Map No. 825 thereof, filed XX in the Office of the County Recorder, City of San Diego, County of San Diego, State of California, in the Tierrasanta Community Plan area, in the IL-2-1 Zone; and

WHEREAS, on February 15, 2007, the Planning Commission of the City of San Diego considered SDP No. 205536, and pursuant to Resolution No. \_\_\_\_\_-PC voted to recommend City Council approval of the permits; and

WHEREAS, the matter was set for public hearing on \_\_\_\_\_, 2007, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to SDP No. 205536:

**Site Development Permit. Findings for all Site Development Permits. SDMC Section 126.0504(a):**

1. **The proposed development will not adversely affect the applicable land use plan.** The Tucker Self-Storage project proposes to construct three self storage buildings totaling 120,183 square feet on a vacant 3.35-acre site owned by the City of San Diego. While, the Tierrasanta Community Plan does not apply a specific land use designation for the project site, the Industrial Element of the Plan states that approximately three developable acres may be added to the existing six-acre, "industrial" designated site to the south of the subject project site, after the Interstate 15 interchange has been completed and after Clairemont Mesa Boulevard has been aligned. Currently, both of these right-of-way facilities have been completed.

✓ The Tucker Self Storage proposal would meet the intent of the Industrial Element of the community plan by providing additional "Light Industrial" development; therefore, as proposed, the project would not adversely impact the Tierrasanta Community Plan.

**2. The proposed development will not be detrimental to the public health, safety, and welfare.** Conditions of approval for the Planned Development Permit and Site Development Permit address public health, safety and welfare issues. Compliance with applicable building, plumbing, electrical and grading regulations will be required during the construction phase of the proposed project.

The Tierrasanta area have been historically used as a military training area known as Camp Elliott and portions of the project site appear to be located in this military training area. Because the project would involve grading areas which appear to be previously undisturbed the applicant will be required to obtain proof/approval from the Department of Toxic Substance Control (DTSC) that the entire site has been swept and cleared before issuance of grading permits; therefore, as conditioned, the proposed development will not be detrimental to the public health, safety and welfare.

**3. The proposed development will comply with the applicable regulations of the Land Development Code.** The proposed project requires a Rezone from the RS-1-1, IH-2-1 and IP-2-1 zones to the IL-2-1 zone. The IL-2-1 zone allows for a mix of light industrial uses and office uses with limited commercial uses. Along with the Rezone the project requires a Site Development Permit (SDP) and a Public Right-of-Way Vacation. The Public Right-of-Way Vacation is for the property which was formerly part of an Interstate 15 off-ramp. A SDP is required due to impacts to Environmentally Sensitive Lands. Approximately 2.36-acres of Coastal sage scrub habitat (CSS Tier II) and 0.53-acres of Non-native Grassland (NNGI Tier IIIB) will be impacted by the proposed project.

**Supplemental Site Development Permit Findings – Environmentally Sensitive Lands, SDMC Section 126.0504(b):**

**1. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.**

The proposed project is within the City of San Diego's MSCP, but outside of the MHPA boundary as delineated within the City's MSCP Subarea Plan. Mitigation would be required for direct impacts to 2.36 acres of coastal sage scrub onsite and for impacts to 0.53 acres of non-native grassland onsite. Mitigation for direct impacts to the habitats onsite would consist of either offsite acquisition in a City approved Mitigation Bank or payment into the City's Habitat Acquisition Fund. Based upon the mitigation the proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.

The proposed development footprint is located within previously graded areas and areas with a slope of 25 percent or less. A condition of the Permit requires a recorded covenant of easement to restrict development on portions of the site with natural slopes greater than 25 percent. The covenant of easement will include a description of the development area and the environmentally

sensitive lands, areas with natural slopes greater than 25 percent that will be preserved. The purpose of the covenant is to impart notice to all persons to the extent afforded by the recording laws of the state regarding the restrictions affecting use of the environmentally sensitive lands covered by the permit to ensure that the burdens of the covenant shall be binding; the benefits of the covenant shall inure to, all successors in interest to the affected premises; and to ensure enforceability of the covenant of easement by the City; therefore, the proposed development is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

**2. The proposed development will minimize the alteration of natural landforms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.** The project site is underlain by the Friars Formation which exhibits high paleontological resource sensitivity in the project area. Grading for the proposed project would require excavation and removal of approximately 18,895 cubic yards of cut material, 5,145 cubic yards of fill, and would extend to depths of approximately 17 feet below the surface. According to the City of San Diego Paleontology Guidelines (City of San Diego 2002), impacts to paleontological resources are considered potentially significant for areas with a high sensitivity if grading would exceed 1,000 cubic yards and extend to a depth of 10 or more feet. Because project grading would exceed both of these thresholds, the proposed project could result in a potentially significant impact to paleontological resources. Therefore, the project would require paleontological monitoring during grading and excavation activities. The project applicant would be required to implement the mitigation measures as detailed in Section V, MMRP of the attached MND, to reduce project-specific impacts to below significant levels.

According to the City of San Diego Seismic Safety Study Maps, the project site is assigned a Geologic Hazard Rating of 52 (favorable geologic structure; low to moderate risk). Proper engineering design of the self storage facility would ensure that the potential for geologic impacts from on-site and regional hazards would be less than significant.

No earthquake faults have been mapped on or immediately adjacent to the site. The project would not result in fire hazards. The project has been designed to meet all fire and life safety codes. The project design minimizes impacts to natural land forms. Therefore, the proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

**3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.** See 1 above.

**4. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.** The proposed project would occur within the City of San Diego's MSCP, but outside of the MHPA boundary as delineated within the City's MSCP Subarea Plan. Mitigation would be required for direct impacts to 2.36 acres of coastal sage scrub onsite and for impacts to 0.53 acres of non-native grassland onsite. Mitigation for direct impacts to the habitats onsite would consist of either offsite acquisition in a City approved Mitigation Bank or payment into the City's Habitat Acquisition Fund. Based upon the

000478

mitigation the proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.

**5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.** The proposed project is not located on a beach or bluffs and will not contribute to the erosion of public beaches. A Water Quality Technical Report entitled, *Water Quality Technical Report Tucker Self Storage* was prepared for the proposed project by Snipes-Dye Associates dated November 21, 2006, and a site specific preliminary drainage report entitled, *Preliminary Hydrology/Hydraulic Calculations for Onsite Drainage for The Tucker Self Storage Facility* was also prepared for the proposed project by Project Design Consultants dated January 2002. According to reports the project is contributory to the Mission San Diego Hydrology Unit of the San Diego River Basin (907.11). The site discharges directly to Murphy Canyon Creek, discharging to the lower San Diego River; therefore, the proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

**6. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.** The project has been designed to minimize disturbances to the environment and reduce all impacts to a level below significance. The proposed development will be located on the least environmentally sensitive portions of the property. The City of San Diego conducted an Initial Study in accordance with the California Environmental Quality Act. The Initial Study determined that the project could have a significant environmental effect in the following areas: Paleontological Resources, Biological Resources and Health/Safety. A draft Mitigated Negative Declaration was prepared, and a Mitigation, Monitoring and Reporting Program (MMRP) have been developed to ensure that the project would not have a significant negative environmental impact on these resources. The MMRP contains measures that have been identified in various approved technical reports to reduce potential project impacts to the identified resources. The MMRP contains measures that have been identified in various approved technical report to reduce potential project impacts to below a level of significance. Thus, all mitigation reasonable related to and calculated to alleviate negative impacts created by the proposed development have been or will be incorporated into the conditions of the development permits.

The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and Site Development Permit (SDP) No. 205536 is are granted to Andy Kruttsch,

000479

Permittee, and the City of San Diego Owner, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

APPROVED: MICHAEL AGUIRRE, City Attorney

By

NAME

Deputy City Attorney

ATTY/SEC. INITIALS

DATE

Or.Dept:Clerk

R-INSERT

Reviewed by Patricia Grabski



000481-  
 Rezone Ordinance without Tentative Map

(O-INSERT~)

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

ADOPTED ON \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 3.35-ACRES FROM RS-1-1 (RESIDENTIAL-SINGLE UNIT), IP-2-1 (INDUSTRIAL - PARK), AND IH -2-1 (INDUSTRIAL-HEAVY) TO IL-2-1 (INDUSTRIAL-LIGHT) LOCATED AT 9765 CLAIREMONT MESA BOULEVARD IN THE TIERRASANTA COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, AND REPEALING ORDINANCE NO. 16187 (NEW SERIES), ADOPTED APRIL 2, 1984, OF THE ORDINANCE OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICT HERewith.

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the 3.35-acre site located at 9765 Clairemont Mesa Boulevard in the Tierrasanta Community Plan area, and legally described as Parcel A and B of Lot 2, of Map No. 825, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4248, filed in the office of the City Clerk as Document No. OO-\_\_\_\_\_, are rezoned from RS-1-1 (Residential-Single Unit), IP-2-1 (Industrial - Park), and IH -2-1 (Industrial-Heavy) to IL-2-1 (Industrial-Light).

Section 2. That Ordinance No. 16187 (New Series), adopted April 2, 1984, of the ordinances of the City of San Diego is repealed insofar as the same conflict with the rezoned uses of the land.

Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefore was made prior to the date of adoption of this ordinance.

APPROVED: MICHAEL AGUIRRE, City Attorney

By \_\_\_\_\_

Attorney name

Deputy City Attorney

005-482

pxg

Or.Dept: INSERT~

Case No. 4456/67993

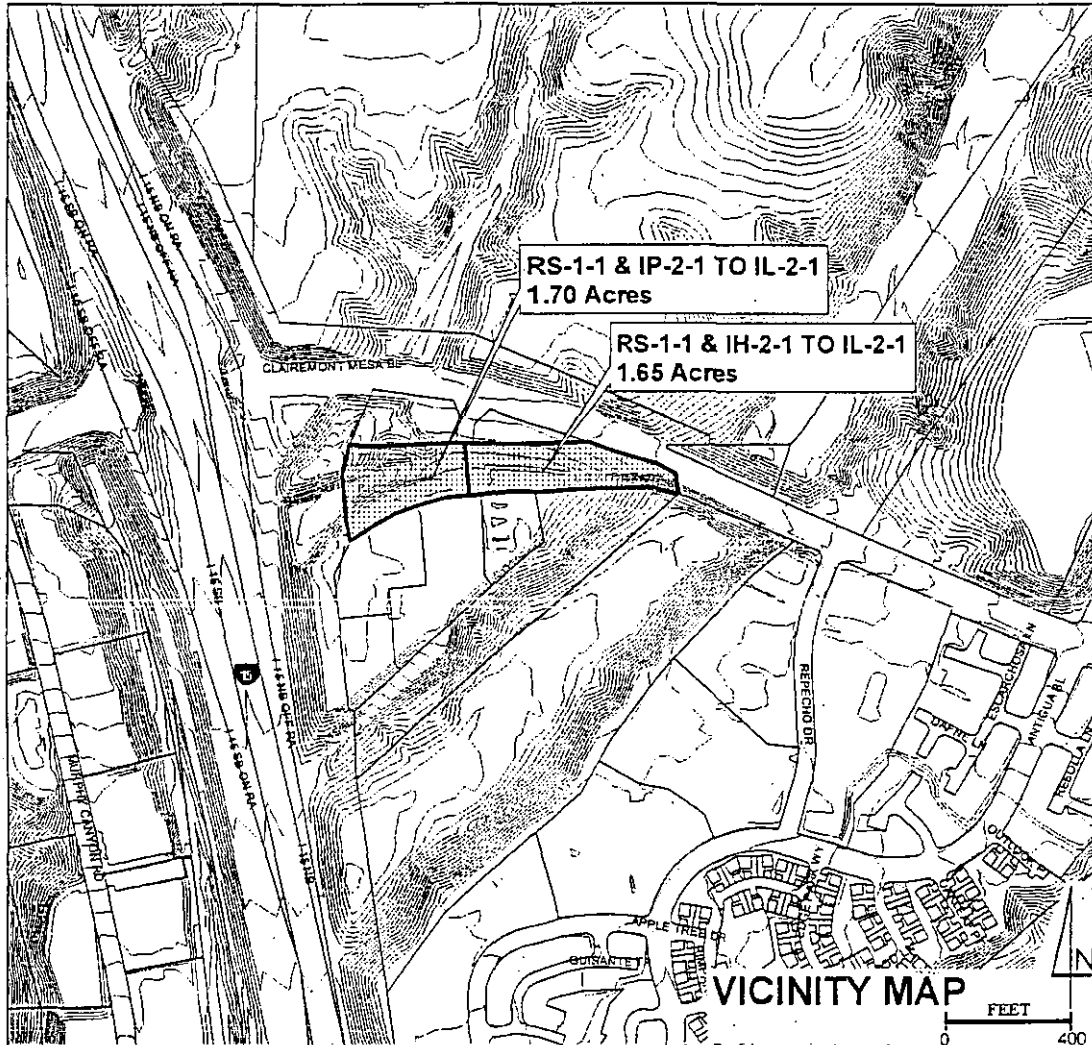
O-INSERT~

000493



CITY OF SAN DIEGO • DEVELOPMENT SERVICES

# PROPOSED REZONING



Parcel A and B of Lot 2, of Map No. 825

ORDINANCE NO. \_\_\_\_\_  
 EFF. DATE ORD. \_\_\_\_\_  
 ZONING SUBJ. TO \_\_\_\_\_  
 BEFORE DATE \_\_\_\_\_  
 EFF. DATE ZONING \_\_\_\_\_  
 MAP NAME AND NO. \_\_\_\_\_

REQUEST IL-2-1  
 PLANNING COMM.  
 RECOMMENDATION  
 CITY COUNCIL  
 ACTION

CASE NO. 42-0935/PTS 67993

DEVELOPMENT SERVICES MANAGER

**B- 4248**

APN: 369-121-07

(242-1734) 11-13-06 [dj]

Map Document: I:\GIS\PGIS\B and C Sheets\B4248\_Silverstar.apx Map  
 1/22/2007 - 1:19:08 PM

**00484 SUMMARY VACATION OF A PUBLIC RIGHT-OF-WAY EASEMENT  
RESOLUTION**

WHEREAS, the California Streets and Highways Code section 8330 et seq. and San Diego Municipal Code section 125.1001 et seq. provides a procedure for the summary vacation of a public right-of-way easement by City Council resolution where the easements are no longer required; and

WHEREAS, the affected property owner has requested the vacation of the public right-of-way easement, to unencumber this property and facilitate development of the site as conditioned in approved Site Development Permit No. 205536 and Planned Development Permit No. 205537; and

WHEREAS, the City Council finds that:

1. **There is no present or prospective use for the public right-of-way, either for the facility for which it was originally acquired or for any other public use of a like nature that can be anticipated.** The proposed public right-of way vacation is for property which was formerly an Interstate 15 off-ramp. Since a new interchange for interstate 15 and Clairemont Mesa Boulevard has been constructed there is no present or prospective use for the existing public right-of-way, either for which it was originally acquired for or any other public use or a like nature that can be anticipated that requires it to remain.
2. **The public will benefit from the action through improved use of the land made available by the vacation.** The action of vacating the right-of-way will benefit the public by adding 3.35-acres of light industrial land to the City of San Diego.
3. **The vacation does not adversely affect any applicable land use plan.** The proposed vacation will not adversely affect the applicable land use plan. Specifically, the Tierrasanta Community Plan's Industrial Element states the subject property should be added to the existing 6-acre, Industrial designated site to the south of the project site after the Interstate 15 interchange has been completed and after Clairemont Mesa Boulevard has been re-aligned. Both these actions have been completed; therefore, the proposal to vacate the easement will not adversely affect any applicable land use plan.
4. **The public facility for which the public right-of-way was originally acquired will not be detrimentally affected by the vacation.** The public facility for which the public right-of-way easement was originally acquired will not be detrimentally affected by the vacation because the former Interstate 15 off-ramp has been constructed at another location; therefore, the subject right-of-way easement is no longer needed.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of San Diego, as follows:

006485

1. That the public-right-of-way vacation, in connection with Site Development Permit No. 205536 and Planned Development Permit No. 205537 as more particularly described in the legal description marked as Exhibit "A," and shown on Drawing No. 20397-B, and on file in the office of the City Clerk as Document Nos.

RR-\_\_\_\_\_, and RR-\_\_\_\_\_, which are by this reference incorporated herein and made a part hereof, is ordered vacated.

2. That said street vacation is conditioned upon the recordation of a two parcel, Parcel Map. In the event this condition is not completed within two years following the adoption of this resolution, then this resolution shall become void and be of no further force or effect.

That the City Clerk shall cause a certified copy of this resolution, with attached exhibits, attested by him under seal, to be recorded in the office of the County Recorder.

BE IT FURTHER RESOLVED, that this activity is covered under Tucker self Storage Mitigated Negative Declaration No. 67993, dated January 31, 2007, certified by the City Of San Diego City Council. The activity is adequately addressed in the Mitigated Negative Declaration and there is no change in circumstance, additional information, or project changes to warrant additional environmental review.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By

Deputy City Attorney

pxg

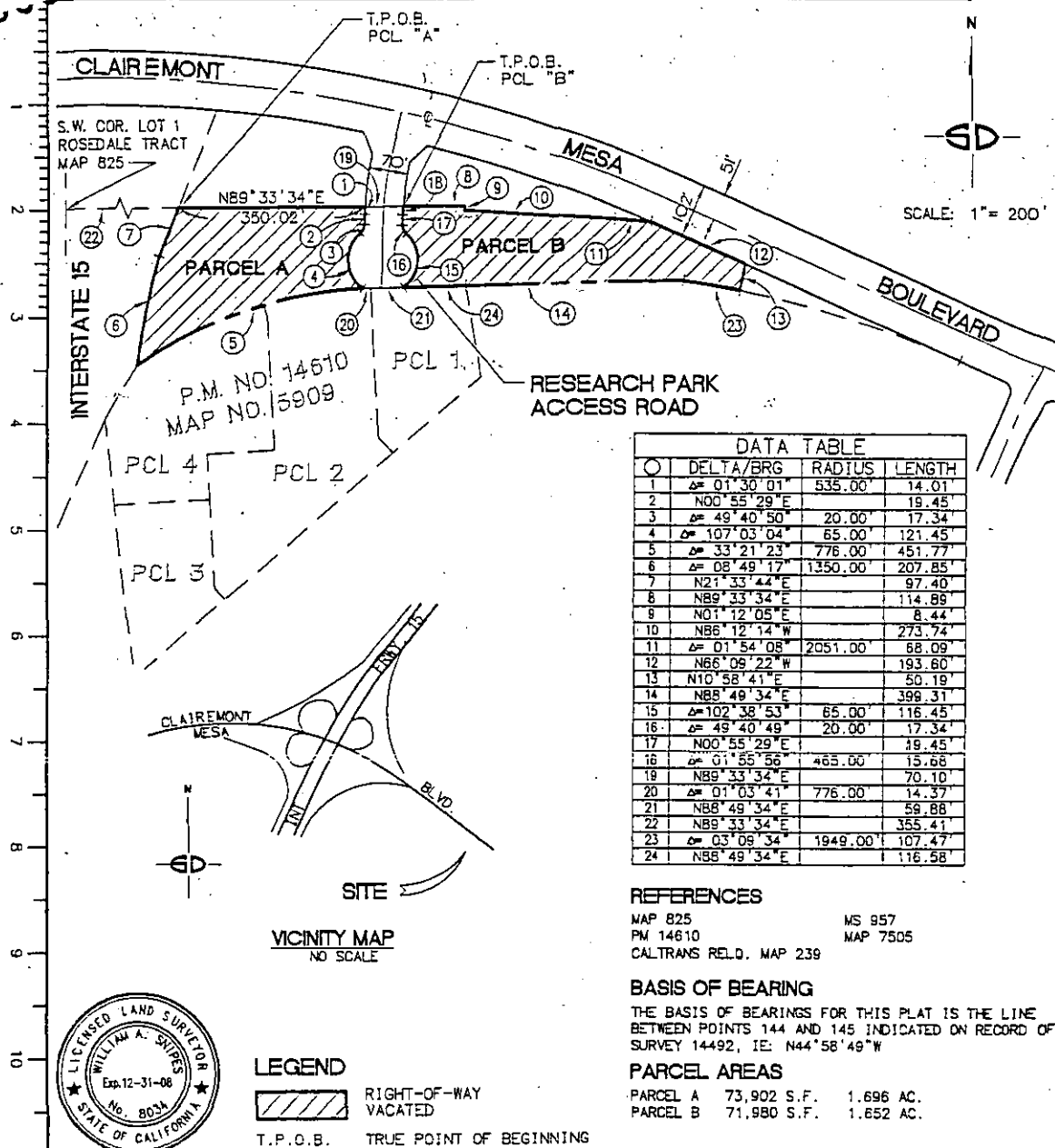
1/29/07

Or.Dept:DSD

R-

PTS 67993

Job Order No. 004556



ENGINEER OF WORK  
**SNIRES-DYE ASSOCIATES**  
CIVIL ENGINEERS AND LAND SURVEYORS  
8348 CENTER DRIVE, STE./G. LA MESA, CA 91942  
TELEPHONE (619) 897-8234

*[Signature]* 1/10/07

WILLIAM A. SNIRES L.S. 8034  
EXPIRES 12-31-2008

## STREET VACATION - CLAREMONT MESA BOULEVARD EASTERLY OF INTERSTATE 15

DESCRIPTION	BY	APPROVED	DATE	FILED	CITY OF SAN DIEGO, CALIFORNIA	W.O. -004556 PTS # 67993
ORIGINAL	SDA				SHEET 1 OF 1 SHEET	
						1882-6293 NAD 83 COORDINATES
					FOR CITY ENGINEER	DATE
						242-1733 LAMBERT COORDINATES
						20397-B
STATUS						

-000487

# Tierrasanta Community Council and Planning Group

**Mailing Address:** 4985 La Cuenta Drive,  
San Diego, CA 92124

**Website:** www.tierrasantacc.org  
**E-mail:** tierrasantacc@netscape.net

## Draft Minutes

From the Regular Meeting held on  
Wednesday, August 16<sup>th</sup>, 2006

at the Tierrasanta Recreation Center  
11220 Clairemont Mesa Blvd, San Diego, CA 92124

P Eric Germain – President & Chair	P Brien O'Meara – Area 1	P Tracy Conroy – Area 5
P Donovan Geiger – Vice Pres. For Plans	P Chris Nowacki – Area 2	P Scott Hasson – Area 6
P Tony Tibbetts – Vice Pres. for Issues	A2 Eric Bender – Area 3	P Tim Taylor – Area 7
P Fred Zuckerman – Chief Financial Officer	P Dan Lazzaro – Area 3	P David Oates – Area 7
P Kim Taylor – Secretary	P Lee Campbell – Area 4	P Jim Taylor – Area 7
P Lou Binford – Commercial Director	P Susan Deininger – Area 4	A1 Jerry Bierman – Area 8 (AL)
P = Present      A1 / A2 / A3 / A4 = Absent (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> )      AL = At Large		
CP600-24, Art IV, Sec 1: a vacancy exists upon the 3 <sup>rd</sup> consecutive absence or 4 <sup>th</sup> absence in 12 months (April through March).		

The August 16<sup>th</sup> meeting of the Tierrasanta Community Council (TCC) was called to order by President Eric Germain at 7:05 PM in the Tierrasanta Recreation Center. Area 2 Director Chris Nowacki led the pledge of allegiance. A quorum was declared present.

*Note: Events reported below did not necessarily occur in the sequence indicated in these minutes.*

**Approval of Minutes from July 19<sup>th</sup>, 2006:** The Chair announced several minor changes.

**Motion** (Tibbetts / Hasson): TCC approved the minutes with changes. Passed 16-0.

**Agenda Review, Additions & Continuances:** The agenda was adopted as written, but the Chair announced he would adjust items based on a separately agreed order of presenters.


**Special Announcements:** The Chair announced decision day for Proposition A, the proposal to build an unnecessary airport at MCAS Miramar, is only 83 days away.

### Non-Agenda Public Comment:

**Councilman Jim Madaffer** (619-236-6677, [jmadaffer@sandiego.gov](mailto:jmadaffer@sandiego.gov)) paid a surprise visit to the TCC. He opened his remarks by commenting on the recent vote in favor of the Regents Road bridge over Rose Canyon in University City, and the sense by some that his vote in favor of this road extension means he is in favor all other road extensions. He noted that 1) the city council voted to remove the extension of Tierrasanta Blvd (and its associated bridge across the San Diego River) from the city's transportation element, and 2) the Jackson Drive extension through MTRP was planned to come first, and since this

## TCC as a Community Planning Group

### ACTION & INFORMATION ITEMS:

 **Item 111: Tucker Self Storage, Project 67993.** The Chair began a review of the Tucker project by explaining the actions of the July 26<sup>th</sup> meeting of the Community Development Committee (CDC). CDC voted 5-1 to approve project with some conditions, and as such the CDC's motion becomes the motion under consideration by the TCC.

Steve Laub, consultant for the applicant, introduced the applicant Andy Kruttsch and his team: Architect Rick Marrs and engineer Bob Bruckart. Mr Marrs reviewed the changes to the project, including those imposed by the city and those requested by the TCC. Changes include:

- There used to be two buildings on the east parcel, now there is only one building. This is because environmentally sensitive land (ESL) regulations required an 18% reduction in footprint to 120k sq.ft.
- The retaining walls are changed: previously the plan was for 12-foot walls but per city requirement there now will be two different eight-foot walls with landscaping in between.
- Floor area ratio on the east side is 1.1, and on the west side it is 1.2. A FAR of 2.2 is the maximum allowed per zoning.
- Self storage rentable units are reduced in number from 1225 to 1003 due to the reduction in footprint and FAR.
- Architecture changes include adding a glass face (false windows) on the Clairemont Mesa Blvd side to make the building look more like an office building. Also, there will be a metal roof parapet look to make it look less like a blocky self-storage building. Finally, there will be staggered set backs on the north side to give it a more textured look.
- The original design had two public driveways on each side but now there is only 1 driveway for the public and a second for use only by the fire department.

TCC discussion that followed was lively and lengthy. A summary of the discussion, attached to the end of these minutes (below), identifies the main points in support of and in opposition to the proposed project as expressed by TCC members during the discussion. This summary was sent both to the city (DSD) and to the applicant's representative along with the record of the TCC's vote.

The Chair announced again that the motion before the TCC was as provided by the CDC: to approve with restrictions. Director Scott Hasson introduced a substitute motion to reject the project but there was no second to this motion. Thus, the motion before the TCC was as follows:

**Main Motion (CDC):** *TCC recommends approval of the Tucker project as presented. Applicant will work with the TCC, the military and the city as appropriate to pursue the possibility of landscaping the north-side adjacent property (owned by the federal government) and thus to beautify the entrance to both the Tucker facility and the community.*

**Amendment to the Main Motion (Taylor / Tibbetts):** TCC imposes the following additional conditions to its vote of approval:

- The applicant shall add at least four false windows to the façade of the west end of the northwestern-most building (building 1) facing I-15.



- The applicant shall plant at least 8 trees on Clairemont Mesa Blvd along the public right of way immediately adjacent to the unnamed street (the research park access road) to extend the existing landscaping, probably 4 trees to the west and 4 trees to the east of the driveway.
- The applicant shall seek TCC approval of a detailed signage plan including the following specifics: colors, materials, sizes, lighting and locations.

Motion to Amend: a vote on the motion to amend the main motion passed 11-2-3. The abstentions were a statement of protest against the main motion.

Main Motion on the Tucker Project, as amended: the TCC's vote on the Tucker Project resulted in a tie: 8-8-0.

The result of this tie vote was neither to recommend approval nor disapproval of the project. A tie vote is a "split vote" and it is reported to the City as such.

*[Note: This split vote was reported to DSD and to the applicant by fax on 29 Aug 06. The description of arguments in favor and in opposition, attached below, also was provided.]*

**Item 112: CWA Mission Trails Project Final EIR.** The CWA board of directors is to meet on August 23<sup>rd</sup> to accept and approve the Final EIR for the MTRP pipeline and FRS project.

**COMMITTEE & REPRESENTATIVE REPORTS:** short info-only updates.

**Item 123: Tierrasanta Recreation Council:** CFO Fred Zuckerman explained that the cost overruns for construction of the de Portola comfort station have not been discussed with the community in general or with the Rec Council in particular. A special meeting of the Rec Council with city officials is planned for August 23<sup>rd</sup> to review the nature of the unexpected cost growth.

**Item 126: Military Housing Committee:** The Chair corrected the agenda and noted the next committee meeting is planned for September 21<sup>st</sup> rather than August 17<sup>th</sup>.

### **TCC as a 501(c)(4) Corporation**

#### **ACTION & INFORMATION ITEMS:**

**Item 311: Golf Tournament:** Committee Chair Tracy Conroy noted that there were very few sponsors compared to prior years even though the event has been better advertised to the Tierrasanta business community than in the past.

**Item 312: CC&R Committee Chair** responsible for CC&R enforcement. Point of contact for CC&R complaints is the TCC Chair, Eric Germain (egermain@pacbell.net).

**Motion** (K. Taylor / Hasson): TCC approves the Chair's appointment of a new Chair of the Community Maintenance Committee (CMC). Passed 16-0-0.

000490

## TCC Comments related to the Discussion and Vote on Tucker Self Storage, project 67993

### TCC comments in support of the project

1. While the proposed project presents a significant visual impact, a self-storage facility presents about the least possible impact in terms of traffic, noise and light that would exist were any other type of project to be planned.
2. The applicant has demonstrated a willingness to work with the community to mitigate the impact of this significant project.
3. The proposed project, with its false windows, granite facing and roof-top parapet, will look more like an office building (and more like the adjacent research park) than it will look like a typical self storage facility.
4. The applicant has been forthcoming in addressing previously expressed community concerns relating to appearance, construction materials, parking, vegetation and lighting.
5. The applicant has rights to develop the site and there's little the TCC can do to change that. A gated facility that is open for limited hours and surveilled by cameras is not as bad as other possible uses for the site.
6. A property owner (or a person with rights to a property) should be able to use the property within the limits of the law, zoning and the community plan. There are too many examples of bureaucrats and neighbors telling others what they can and cannot do with their land.

### TCC comments in opposition to the project

1. A massive structure like this 4-storey facility is too monumentally large to be placed so near the entrance to Tierrasanta as it would completely change the appearance of the community.
2. The applicant's claim to the property is derived from a lawsuit where the facts have been concealed from the public. The TCC should not endorse the fruits of back-room dealing by city bureaucrats and developers, which is an altogether too frequent practice in San Diego.
3. The change in zoning should be to a lesser industrial zone that is commensurate with the adjacent Research Park. The proposed re-zoning for this project, to an excessively high industrial zone, results in a site that in the future could be transformed into any of a number of uses the TCC would find strongly objectionable.
4. The applicant failed to produce before-and-after color renderings of the redesigned project site, thereby making it impossible for the TCC to assess the true visual impact. Similarly, the applicant could have provided, but failed to provide, photos of other similar projects to more clearly explain their vision for how the project would look upon completion.
5. The applicant continues to refuse to demonstrate a willingness to actively work with the community to improve the appearance of an adjacent property that happens to be owned by the federal government and that serves as an entrance to Tierrasanta.
6. A year ago the applicant reported to the TCC that requested changes "did not pencil out" and thus were infeasible, yet today the project has shrunk by 20% (in terms of numbers of rental units) and yet the project is projected to remain sufficiently profitable.



City of San Diego  
Development Services  
1222 First Ave., MS-302  
San Diego, CA 92101  
(619) 446-5000

## Ownership Disclosure Statement

<b>Project Title</b>	<b>Project No. For City Use Only</b>
Tucker's Mini Storage	
<b>Project Address:</b>	
9765 Clairemont Mesa Blvd. (Southeast corner of Clairemont Mesa Blvd. & Interstate 15)	
<b>Part I - To be completed when property is held by individual(s)</b>	
<p>Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). <u>A signature is required of at least one of the property owners.</u> Attach additional pages if needed. <b>Note:</b> The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.</p> <p><b>Additional pages attached</b>   <input type="checkbox"/> Yes   <input checked="" type="checkbox"/> No</p>	
<b>Name of individual (type or print):</b> Andrew S. Krutzsch <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Tenant/Lessee	<b>Name of individual (type or print):</b> CITY OF SAN DIEGO <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee
<b>Street Address:</b> 104 West "I" Street	<b>Street Address:</b>
<b>City/State/Zip:</b> Brawley, CA 92227	<b>City/State/Zip:</b>
<b>Phone No:</b> (760) 344-8121 <b>Fax No:</b> (760) 344-6900	<b>Phone No:</b> <b>Fax No:</b>
<b>Signature:</b> [Signature] <b>Date:</b> 3/22/05	<b>Signature:</b> <b>Date:</b>
<b>Name of individual (type or print):</b> <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee	<b>Name of individual (type or print):</b> <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee
<b>Street Address:</b>	<b>Street Address:</b>
<b>City/State/Zip:</b>	<b>City/State/Zip:</b>
<b>Phone No:</b> <b>Fax No:</b>	<b>Phone No:</b> <b>Fax No:</b>
<b>Signature:</b> <b>Date:</b>	<b>Signature:</b> <b>Date:</b>
<b>Name of individual (type or print):</b> <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee	<b>Name of individual (type or print):</b> <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee
<b>Street Address:</b>	<b>Street Address:</b>
<b>City/State/Zip:</b>	<b>City/State/Zip:</b>
<b>Phone No:</b> <b>Fax No:</b>	<b>Phone No:</b> <b>Fax No:</b>
<b>Signature:</b> <b>Date:</b>	<b>Signature:</b> <b>Date:</b>

This information is available in alternative formats for persons with disabilities.  
To request this information in alternative format, call (619) 446-5446 or (800) 735-2929 (TDD)  
Be sure to see us on the World Wide Web at [www.sandiego.gov/development-services](http://www.sandiego.gov/development-services)



Land Development  
Review Division  
(619) 446-5460

## Mitigated Negative Declaration

### Mitigated Negative Declaration

Project No. 67993

**SUBJECT:** Tucker Self Storage: PUBLIC RIGHT-OF-WAY VACATION, ~~COMMUNITY PLAN AMENDMENT (CPA)~~, REZONE, PLANNED DEVELOPMENT PERMIT (PDP), AND SITE DEVELOPMENT PERMIT (SDP) ~~to create two parcels from one existing~~, on a 3.35-acre site for a 120,183 square-foot of self storage building at 9765 Clairemont Mesa Boulevard. The site is in the RS-1-1, ILP-2-1, IH-2-1 and the Airport Environs Overlay Zones, within the Tierrasanta Community Plan area. The project entails a 55-year ground lease of the property pursuant to the Settlement Agreement in the case of TRP LIMITED V. CITY OF SAN DIEGO, ET AL, SCC No. 578191, approved by City Council Resolution No. 274804 on December 4, 1989. Legal Description: Parcel A and B of Lot 2, of Map No. 825. Council District 7. Applicant: Jerry Tucker and Andy Krutzsch.

**UPDATE:** Minor revisions to this document have been made when compared to the draft Mitigated Negative Declaration. These changes do not affect the environmental analysis or conclusions of this document. Revisions are shown in ~~strikeout~~/underline format.

- I. PROJECT DESCRIPTION: See attached Initial Study.
- II. ENVIRONMENTAL SETTING: See attached Initial Study.
- III. DETERMINATION:

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect in the following area(s): Paleontological Resources, Biological Resources and Public Health and Safety. Subsequent revisions in the project proposal create the specific mitigation identified in Section V of this Mitigated Negative Declaration. The project, as revised, now avoids or mitigates the potentially significant environmental effects previously identified, and the preparation of an Environmental Impact Report will not be required.

- IV. DOCUMENTATION:

The attached Initial Study documents the reasons to support the above Determination.

- V. MITIGATION, MONITORING AND REPORTING PROGRAM:

To ensure that site development would avoid significant environmental impacts, a Mitigation, Monitoring, and Reporting Program (MMRP) is required. Compliance with the mitigation measures is the responsibility of the applicant. The basis for the MMRP can be found in the Initial Study. The mitigation measures are described below.

### **GENERAL**

1. Prior to the issuance of a Notice to Proceed (NTP) or any permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the Assistant Deputy Director (ADD) environmental designee of the City's Land Development Review Division (LDR) shall verify that the following statement is shown on the grading and/or construction plans as a note under the heading Environmental Mitigation Requirements: Tucker Self Storage development project is subject to a Mitigation Monitoring and Reporting Program and shall conform to the mitigation conditions as contained in the Mitigated Negative Declaration 67993.
2. The owner/permittee shall make arrangements to schedule a pre-construction meeting to ensure implementation of the MMRP. The meeting shall include the Resident Engineer the Qualified Biologist and the City's Mitigation Monitoring Coordination (MMC) Section.

### **BIOLOGICAL RESOURCES**

Prior to the issuance of a Notice to Proceed (NTP) or any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits the ADD environmental designee of the City's LDR Division shall incorporate the following mitigation measures into the project design and include them on all appropriate construction documents.

#### **I. Prior to Permit Issuance**

##### **A. Land Development Review (LDR) Plan Check**

1. Prior to the Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting, whichever is applicable, direct impacts to 0.53-acre of Non-native grassland (NNG), Tier IIIB habitat and 2.36-acres of Coastal sage scrub (CSS), Tier II habitat shall be mitigated at a 0.5:1 ratio for impacts to NNG and a 1:1 ratio for CSS impacts. The upland impacts shall be mitigated to the satisfaction of the ADD/ environmental designee through the following method: Acquisition.
2. Prior to the Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting, the applicant shall acquire 0.27-acre of Tier IIIB and 2.36-acres of Tier II habitat within a City approved MHPA Conservation Bank by payment into the City's Habitat Acquisition Fund, the amount necessary to purchase 0.27-acre of Tier IIIB habitat and 2.36-acres of Tier II habitat, (the current per-acre

contribution amount for the Habitat Acquisition Fund is \$25,000 per acre plus a 10 percent administration fee). The stated contribution would satisfy the mitigation acreage requirement of 0.5:1 (Tier IIIB) and 1:1 Tier II, for impacts outside the MHPA that would be mitigated inside the MHPA.

**B. Coastal California Gnatcatcher (Federally Threatened)**

1. Prior to the issuance of any grading permit, the City Mayor or environmental designee) shall verify that the Multi-Habitat Planning Area (MHPA) boundaries and the following project requirements regarding the coastal California gnatcatcher are shown on the construction plans:
  - a. No clearing, grubbing, grading, or other construction activities shall occur between March 1 and August 15, the breeding season of the coastal California gnatcatcher, until the following requirements have been met to the satisfaction of the City Manager: Qualified biologist (possessing a valid endangered species act section 10(a)(1)(a) recovery permit) shall survey those habitat areas within the MHPA that would be subject to construction noise levels exceeding 60 decibels [db(a)] hourly average for the presence of the coastal California gnatcatcher. Surveys for the coastal California gnatcatcher shall be conducted pursuant to the protocol survey guidelines established by the U.S. Fish and Wildlife Service within the breeding season prior to the commencement of any construction. If gnatcatchers are present, then the following conditions must be met:
  - b. Between March 1 and August 15, no clearing, grubbing, or grading of occupied gnatcatcher habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; and
  - c. Between March 1 and August 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 db (a) hourly average at the edge of occupied gnatcatcher habitat. An analysis showing that noise generated by construction activities would not exceed 60 db (a) hourly average at the edge of occupied habitat must be completed by a qualified acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the City Manager at least two weeks prior to the commencement of construction activities. Prior to the commencement of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; or
  - d. At least two weeks prior to the commencement of construction activities, under the direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise

levels resulting from construction activities will not exceed 60 db(a) hourly average at the edge of habitat occupied by the coastal California gnatcatcher. Concurrent with the commencement of construction activities and the construction of necessary noise attenuation facilities, noise monitoring\* shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 db (a) hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (August 16).

\* construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 db(a) hourly average or to the ambient noise level if it already exceeds 60 db(a) hourly average. If not, other measures shall be implemented in consultation with the biologist and the city manager, as necessary, to reduce noise levels to below 60 db(a) hourly average or to the ambient noise level if it already exceeds 60 db(a) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

2. If coastal California gnatcatchers are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the City Manager and applicable resource agencies which demonstrates whether or not mitigation measures such as noise walls are necessary between March 1 and August 15 as follows:
  - a. If this evidence indicates the potential is high for coastal California gnatcatcher to be present based on historical records or site conditions, then condition B.1. shall be adhered to as specified above.
  - b. If this evidence concludes that no impacts to this species are anticipated, no mitigation measures would be necessary.

## **PALEONTOLOGICAL RESOURCES**

### **I. Prior to Permit Issuance**

- A. Land Development Review (LDR) Plan Check
  1. Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.
- B. Letters of Qualification have been submitted to ADD

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

## **II. Prior to Start of Construction**

### **A. Verification of Records Search**

1. The PI shall provide verification to MMC that a site-specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

### **B. PI Shall Attend Precon Meetings**

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
  - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to be Monitored

Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).
3. When Monitoring Will Occur
  - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
  - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil



resources, etc., which may reduce or increase the potential for resources to be present.

### III. During Construction

#### A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.**
2. The monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSV's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.

#### B. Discovery Notification Process

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

#### C. Determination of Significance

1. The PI shall evaluate the significance of the resource.
  - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
  - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
  - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
  - d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The

letter shall also indicate that no further work is required.

#### **IV. Night Work**

- A. If night work is included in the contract
  - 1. When night work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
  - 2. The following procedures shall be followed.
    - a. No Discoveries  
In the event that no discoveries were encountered during night work, The PI shall record the information on the CSVr and submit to MMC via fax by 9am the following morning, if possible.
    - b. Discoveries  
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
    - c. Potentially Significant Discoveries  
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
    - d. The PI shall immediately contact MMC, or by 8AM the following morning to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night work becomes necessary during the course of construction
  - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
  - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

#### **V. Post Construction**

- A. Submittal of Draft Monitoring Report
  - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative) which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.
    - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
    - b. Recording Sites with the San Diego Natural History Museum  
The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
  - 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
  - 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.

4. MMC shall provide written verification to the PI of the approved report.
5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

**B. Handling of Fossil Remains**

1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate

**C. Curation of fossil remains: Deed of Gift and Acceptance Verification**

1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

**D. Final Monitoring Report(s)**

1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
1. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

**HEALTH AND SAFETY**

Prior to Notice to Proceed (NTP) for any grading/construction permit, the applicant shall provide written verification to the Development Services Department Assistant Deputy Director (ADD) environmental designee from the Department of Toxic Substance Control assuring that the project site has been completely swept for unexploded ordnance and no longer presents a significant public safety/human health impact.

**VI. PUBLIC REVIEW DISTRIBUTION:**

Draft copies or notice of this Mitigated Negative Declaration were distributed to:

**Federal Government**

Commanding General, ATTN: Community Plans and Liaison, MCAS Miramar Air Station (461)  
USACE (16)

**State Government**

State Clearinghouse (46)  
Department of Toxic Substance Control

**County Government**

County of San Diego, Department of Environmental Health, Richard Haas Acting Chief (MS D-561)

City of San Diego  
John Kovac, City Planning and Community Investments (MS-4A)  
Councilmember Madaffer, District 7 (MS 10A)  
Development Services Department (MS 501)  
Tierrasanta Community Council, Mr. Eric German, Chair (462)  
Murphy Canyon Community Council (463)  
Tierrasanta Community Council (464)  
Mission Trails Region Park, Dorothy Leonard, Chair (465)  
Tierrasanta Recreation Council (465A)  
City of Santee (466A)  
Sierra Club, (165)  
Environmental Law Society (164)  
California Native Plant Society, (170)  
Audubon Society, (167)  
Center for Biological Diversity, (176)  
Endangered Habitat League, (182)  
Citizens Coordinate for Century III (179)  
Friends of Los Penasquitos Canyon Preserve Inc (382)  
Applicant: Rick Marrs, RMI-Architecture

VII. RESULTS OF PUBLIC REVIEW:

- ( ) No comments were received during the public input period.
- ( ) Comments were received but did not address the draft Mitigated Negative Declaration finding or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.
- (x) Comments addressing the findings of the draft Mitigated Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public input period. The letters and responses follow.

Copies of the draft Mitigated Negative Declaration, the Mitigation, Monitoring and Reporting Program, and any Initial Study material is available in the office of the Land Development Review Division for review, or for purchase at the cost of reproduction.

  
\_\_\_\_\_  
Martha Blake, Senior Planner  
Development Services Department

December 22, 2006  
Date of Draft Report

Analyst: H. Warren

January 30, 2007  
Date of Final Report



# San Diego County Archaeological Society, Inc.

Environmental Review Committee

28 December 2006

To: Ms. Martha Blake  
Development Services Department  
City of San Diego  
1222 First Avenue, Mail Station 501  
San Diego, California 92101

Subject: Draft Mitigated Negative Declaration  
Tucker Self-Storage  
Project No. 67993

Dear Ms. Blake:


I have reviewed the subject DMND on behalf of this committee of the San Diego County Archaeological Society.

Based on the information contained in the DMND and initial study provided, we have the following comments:

1.
  - While the biological resources portion of the DMND addresses mitigation required for impacts to coastal sage scrub, Section VII of the initial study states that "The project site...is located in a completely developed urban area." Obviously, the project site itself is not "completely developed" and needs to be surveyed by a qualified archaeologist.
2.
  - Furthermore, that same portion of the initial study states that "The project site is located outside of the City's mapped historical resources sensitivity area", which also indicates a need for the project area to be surveyed.

The City must have the applicant engage the services of a qualified archaeologist to survey the property, and make the resulting report available as part of the project's public review. No decision on project approval can take place until completion of that public review, presumably via a recirculation of this DMND.

Sincerely,

  
James W. Royle, Jr., Chairperson  
Environmental Review Committee

cc: SDCAS President  
File

1. Comment noted. The project site has been previously disturbed (former/existing roadway), with development to the south, and roadways to the north, west, and northeast. This language has been revised in the Initial Study Checklist, Section VII. Please refer to Comment No. 2 below.
2. As described in the Section VII of the Initial Study Checklist for the Tucker Self Storage project, the development site is not located on the City of San Diego's Historic Sensitivity Map. Furthermore, a record search of the California Historic Resources Information System (CHRIS) digital database provided to the City of San Diego under the SCIC CHRIS Partnership Agreement was reviewed to determine presence or absence of potential resources within the project site. Historic resources were not identified within or adjacent to the project site. Because the Initial Study determined that the presence of historic resources or Native American human remains within the project APE was not likely no further information or mitigation was required.

From: "Scott H" <scotthasson@hotmail.com>  
To: <dsdeas@sandiego.gov>  
Date: 1/18/2007 2:39:35 PM  
Subject: Project number 67993

Comment to this project,

3. I am not in agreement with the applicant that there will be no other CEQA impacts for this project.
4. The applicant has not provided the community with a sufficient mitigation to the aesthetics and neighborhood character.
5. In detail, this is a residential community. and as such, placing a storage facility at the entrance to the community will drive down the perceived value of the neighborhood. It will make the neighborhood look more like murphy canyon or miramar road. This type of facility is not suitable for a residential community. Our neighborhood should not be viewed as an industrial area or park. This type of facility is more suitable for an area where the zoning is already set for industrial.
6. As to Noise:  
There will be hundreds of cars coming and going from the facility everyday. There are adjacent apartments and condominiums to the facility and they will be adversely impacted with the noise and lighting from the proposed storage facility.
7. As to Transportation and circulation:  
The facility is proposed to be located near and has to use an intersection which has no traffic signal on Claremont mesa blvd. This will mean that the possibility of increased traffic collisions is extremely high with the many vehicles going in and out on a daily basis. As most of the users of this facility will be from outside of Tierrasanta (comments from the applicant), this will cause users to drive and push the safety envelope across Claremont mesa blvd in front of oncoming 50 mph traffic.
8. Also, there is a large amount of trees and brush that is not on the property, which is on adjacent property that is owned by the navy. These trees and brush will block any oncoming cars from seeing the vehicles waiting to turn left onto Claremont mesa blvd.
9. Also there is the possibility of unexploded ordinance on the property since this property was once part of camp Elliot, and the adjacent property is owned by the marines. The applicant has said he has no intention of trying to work with the Navy on this. He was asked numerous times if he has contacted the marines or navy and he says he has no reason to.
10. The community is against this project and we will be in full force at the planning commission and city council meeting should this proposal be brought forth.
11. The recommendation to the applicant was to use this property for townhomes and additional housing for the city and the neighborhood, not an unsightly storage facility.

3. Comment noted.
4. Based on the Initial Study conducted for this project, no significant impacts were identified to the neighborhood aesthetics and character, therefore, no mitigation is required.
5. According to the Tierrasanta Community Plan, development of the project site should meet objectives for protecting surrounding uses from visual impacts or other disruption, as well as for protecting and enhancing the physical environment, visual appearance, identity, and character of the Tierrasanta community through aesthetic improvements and careful urban design. The project meets those objectives by proposing a low-profile building that would not obstruct views of the surrounding area. Further, the project site is also located northeast of existing multi-family residential development, and would be screened by existing industrial development and also buffered by existing open space. The project would utilize a mix of varying materials and landscape screening that would serve to break up the bulk and mass of the proposed structures. The western portion of the proposed project would be set back from Claremont Mesa Boulevard and screened with 24-inch box Cajeput Trees (Melaleuca Quinquenervia). Additionally, faux windows would be added along the north elevation of the eastern most structure of the project, closest to Claremont Mesa Boulevard. Varying roof lines and staggered setbacks would also be incorporated to further articulate the building façade of this portion of the project.
6. The proposed project would generate approximately 240 average daily trips (ADTs). The Tierrasanta Community plans shows forecast traffic volumes on Claremont Mesa Boulevard of 30,000 ADTs from I-15 to Antigua Boulevard, and traffic volumes of 25,000 ADTs along Claremont Mesa Boulevard east of Antigua Boulevard. Based on those traffic volumes, the project's 240 ADTs would not result in any significant noise impacts to the community. The lighting of the project site is regulated by the City's Municipal Code, and is prohibited from illuminating areas not part of the project site.
7. As noted in Comment No. 6 above, the proposed project is expected to generate approximately 240 ADTs, including 14 trips (7 in/7 out) during the AM peak period and 22 trips (11 in/11 out) during the PM peak period. A left turn into and out of the existing driveway (used to access existing development at 9755 - 9775 Claremont Mesa Boulevard) is currently allowed. The existing plus project traffic volumes at this driveway intersection are too low to warrant a traffic signal at this time. For those drivers who do not feel comfortable making a left out of the driveway, they may turn right (east) and travel approximately 1500 feet to a signalized intersection at Antigua Boulevard and make a u-turn to head west.

Best Regards,

Scott L. Hasson  
Tierrasanta Community Council  
District 6 Director

CC: <JMadaffer@SanDiego.gov>, <LWebb@sandiego.gov>

8. Comment noted. The existing vegetation does not appear to be within the visibility areas, and no such blockages are anticipated.
9. Comment noted. The Mitigated Negative Declaration and Initial Study addressed the potential for unexploded ordnance, and the City will not allow a Notice to Proceed for any grading and/or construction permit to be issued until the applicant provides written verification to the Development Services Department that the project site has been completely swept for unexploded ordnance and no longer presents a potential significant public safety/human health impact.
10. Comment noted.
11. Comment noted. Although the Tierrasanta community consists primarily of residential development and open space/parks, the location of the proposed project is within an area adjacent to property that is designated for light industrial development and where industrial uses exist. Additionally, the Industrial Element of allows approximately 3 developable acres to be added to the existing Light Industrial designated area after completion of Interstate 15 and the realignment of Clairemont Mesa Boulevard. The proposed project consisting of approximately 3.4 acres would be located in this area adjacent to existing industrial uses, and in an area where the community plan designates additional industrial development to be located.

City of San Diego  
Development Services Department  
Land Development Review Division  
1222 First Avenue, Mail Station 501  
San Diego, CA 92101  
(619) 446-5460  
(619) 446-5392

INITIAL STUDY  
Project No. 67993

**SUBJECT:** Tucker Self Storage: PUBLIC RIGHT-OF-WAY VACATION, ~~COMMUNITY PLAN AMENDMENT (CPA)~~, REZONE, PLANNED DEVELOPMENT PERMIT (PDP), AND SITE DEVELOPMENT PERMIT (SDP) ~~to create two parcels from one existing,~~ on a 3.35-acre site for a 120,183 square-foot of self storage building at 9765 Clairemont Mesa Boulevard. The site is in the RS-1-1, ILP-2-1, IH-2-1 and the Airport Environs Overlay Zones, within the Tierrasanta Community Plan area. The project entails a 55-year ground lease of the property pursuant to the Settlement Agreement in the case of TRP LIMITED V. CITY OF SAN DIEGO, ET AL, SCC No. 578191, approved by City Council Resolution No. 274804 on December 4, 1989. Legal Description: Parcel A and B of Lot 2, of Map No. 825. Council District 7. Applicant: Jerry Tucker and Andy Krutzsch.

**UPDATE:** Minor revisions to this document have been made when compared to the draft Initial Study. These changes do not affect the environmental analysis or conclusions of this document. Revisions are shown in ~~strikeout~~/underline format.

**I. PURPOSE AND MAIN FEATURES:**

The project proposal would be three self storage buildings totaling 120,183 square feet, located on an existing 3.35-acre site (see Figure 1). The buildings would sit on two adjacent parcels (Parcel "A" West Phase, a 68,868 square-foot parcel, and Parcel "B" East Phase, a 51,315 square-foot parcel). Development on Parcel "A" West Phase would consist of (2) three-story buildings sitting atop a basement. Parcel "A" Building (1) would consist of 8,695 square feet for each of the (3) floors and the basement, for a total of 34,780 square feet. Parcel "A" Building (2) would consist of 8,522 square feet for each of the (3) floors and the basement for a total of 34,088 square-feet.

Development on Parcel "B" East Phase would consist of (1) four-story building. The project proposes 12,765 square feet for the first floor and 12,850 square feet each for floors (2) through (4), of the Parcel "B" Building. The total square footage for this Building would be 51,315 square feet.

The three and four story structures would include self-storage on all building levels, with an



office, lobby, and reception area on the first floor of Parcel "B" East Phase Building. (see Figure 2 ). The proposed self storage facility would provide a total of 15 parking spaces and 2 loading spaces on-site.

Ninety-four percent of the 1.70-acres Parcel "A" would be graded. Amount of cut would total 12,275 cubic yards, fill amount would total 3,300 cubic yards, maximum depth of cut would be 17 feet, maximum depth of fill would be 14 feet, maximum height of fill slope would be 23 feet, maximum height of cut slope would be 14 feet. The project proposes to export 8,975 cubic yards of earth material. The project also proposes retaining walls, 596 feet maximum length, and 9 feet maximum height. Sixty-seven percent of the 1.65-acres Parcel "B" would be graded. Amount of cut would total 6,620 cubic yards, fill amount would total 1,845 cubic yards, maximum depth of cut would be 11 feet, maximum depth of fill would be 8 feet, maximum height of fill slope would be 14 feet, maximum height of cut slope would be 5 feet. The project proposes to export 4,775 cubic yards of earth material. The project also proposes retaining walls, 710 feet maximum length, and 9 feet maximum height.

A Site Development Permit (SDP) would be required for the project's proposed impacts to Environmentally Sensitive Lands. A Planned Development Permit (PDP) would be required to increase the F.A.R. from 1.0 to 1.1 on parcel "A" and increase the F.A.R. from 1.0 to 1.2 on parcel "B". The PDP would also be required for the requested variance to reduce parking from 1 space per 1,000 square feet to 1 space per 10,000 square feet. A Rezone from RS-1-1, IP-2-1, and IH-2-1 to IL-2-1-2 would be required to implement the project. ~~A Community Plan Amendment (CPA) would be required along with the Rezone would be required~~ to allow for a mix of light industrial and office uses with limited commercial uses. A Public Right-of Way Vacation of property which was a former Interstate 15 off-ramp would also be required.

## II. ENVIRONMENTAL SETTING:

The proposed project would be located at 9765 Clairemont Mesa Boulevard. The site is located near the intersection of Clairemont Mesa Boulevard and Interstate 15 to the west (see Figure 1), within the Tierrasanta Community Plan area in the RS-1-1, IP-2-1, and IH-2-1 zones. The project site is surrounded by Clairemont Mesa Boulevard and military property to the north, Interstate 15 to the west, commercial use south, and MHPA open space uses east. The project site lies within the boundaries of the Multiple Species Conservation Program (MSCP) but outside of the Multi-Habitat Planning Area (MHPA).

The proposed development site is within an existing urbanized area currently served by fire, police, and emergency medical services. The location of the proposed development is approximately 1.91 miles north of the City of San Diego Fire Station No.28, which is located at 3880 Kearny Villa Road. Response time from this station to the project site is approximately 4.0 minutes. The project site is also located within the City of San Diego Police Department's Eastern Division Police Command beat 312, located at 9225 Aero Drive and has an average emergency response time of 6.74 minutes for priority "E" calls (2006).

## III. ENVIRONMENTAL ANALYSIS: See attached Initial Study Checklist.

#### IV. DISCUSSION:

The following issues were considered during the environmental review of this project and determined to be potentially significant:

##### **Biological Resources**

A biological technical report entitled, *Biological Technical Report for Tucker Self Storage* dated September, 2006 was prepared by RC Biological Consulting, Inc., to assess the vegetation communities and identify potential biological impacts from proposed project implementation. The conclusions of the biological report are summarized below.

The approximately 3.35-acre project site supports two sensitive vegetation communities within its boundaries, Coastal sage scrub (CSS), a Tier II habitat and Non-native grassland (NNG), a Tier III-B habitat (see Table 1).

<b>Table 1 Summary of Impact Acreage</b>				
<b>Habitat</b>	<b>Total Acres</b>	<b>Onsite Impacts (acres)</b>	<b>Mitigation Ratio</b>	<b>Offsite Mitigation (acres)</b>
Coastal Sage Scrub-Disturbed (Tier II)	2.79	2.36	1:1	2.36
Non-native Grassland (Tier IIIB)	0.53	0.53	0.5:1	0.26
<b>Total</b>	<b>3.32</b>	<b>2.89</b>	<b>NA</b>	<b>2.62</b>

The project site supports 2.79-acres of Coastal sage scrub habitat, dominated by broom baccharis (*Baccharis sarothroides*), laurel sumac (*Malosma laurina*), sugar bush (*Rhus ovata*), California sagebrush (*Artemisia californica*), giant sea-dahlia (*Coreopsis gigantea*) and white sage (*Salvia apiana*).

The project site supports 0.53 acres of non-native grassland habitat, dominated by foxtail chess (*Bromus rubens*), filaree (*Erodium* sp.) and purple nightshade (*Solanum xanti*). In addition, a few isolated individual native species were observed including sugarbush, broom baccharis, California buckwheat (*Eriogonum fasciculatum*) and deerweed (*Lotus scoparius*).

No listed or sensitive animal species were observed onsite. No narrow endemic species were identified onsite. All of the eight narrow endemic plant species within the Urban Area of the MSCP, would have been observable at the time of the surveys and were not documented onsite.

Sensitive plant species, San Diego sunflower (*Viguiera lacinata*) was observed on-site. San Diego sunflower is a low scrub that occurs in chaparral and coastal scrub habitat. It is a

County of San Diego List D and CNPS List 4 species (limited distribution) with a R-E-D ranking of 1-2-1. (See Appendix E of the referenced Biological Report) *Viguiera lacinata* is locally common but of limited distribution due to development in coastal and foothill areas where it occurs. Approximately sixty of these plants were identified onsite.

The project site does not support any wetland habitats as defined by the City of San Diego, the US Army Corps of Engineers, or the CDFG. The project will require compliance with the City of San Diego Subarea Plan of the Multiple Species Conservation Program and the Environmentally Sensitive Lands Ordinance.

Impacts to biological resources can be characterized as direct, indirect or cumulative. Direct impacts are a result of project implementation, and generally include: the loss of vegetation and sensitive habitats and populations; activity-related mortalities of wildlife; loss of foraging, nesting or burrowing habitat; destruction of breeding habitats; and fragmentation of wildlife corridors.

Indirect impacts occur as a result of the increase in human encroachment in the natural environment and include: off-road vehicle use which impacts sensitive plant or animal species; harassment and/or collection of wildlife species; intrusion and wildlife mortality by pets in open space areas following residential development; and inadvertent increased wildlife mortalities along roads.

Cumulative impacts occur as a result of on-going direct and indirect impacts for unrelated or fragmented projects overall. Cumulative impacts are assessed on a regional basis and determine the overall effect of numerous activities on a sensitive resource over a larger area.

The proposed project would directly impact approximately 2.36-acres of Coastal sage scrub habitat (CSS Tier II) and 0.53-acres of Non-native Grassland (NNGL Tier IIIB).

The proposed project would occur within the of the City of San Diego's MSCP but outside of the MHPA boundary as delineated within the City's MSCP Subarea Plan. Mitigation would be required for direct impacts to 2.36 acres of coastal sage scrub onsite and for impacts to 0.53 acres of non-native grassland onsite. Mitigation for direct impacts to the habitats onsite would consist of either offsite acquisition in a City approved Mitigation Bank or payment into the City's Habitat Acquisition Fund. Table I identifies the mitigation requirement by habitat.

Due to the site's proximity to California gnatcatcher habitat within the nearby MHPA, noise impacts related to construction would need to be avoided during the breeding season of the gnatcatcher (March 15 through August 15). If construction is proposed during the breeding season for the species, U.S. Fish and Wildlife Service protocol surveys will be required in order to determine species presence/absence. If California gnatcatcher is not identified within the MHPA, no additional measures will be required. If present, measures to minimize noise impacts will be required and should include temporary noise walls/berms. If the survey is not conducted and construction is proposed during the species' breeding season, presence would be assumed and a temporary wall/berm would be required. Noise levels from construction activities during the breeding season should not exceed 60 dBA at the edge of the occupied MHPA, or the ambient noise level if noise levels already exceed 60 dBA.

### **Health/Safety**

Portions of the Tierrasanta area have been historically used as a military training area known as Camp Elliott. Portions of the project site appear to be located in this military training area. The project would involve grading of areas which appear to be previously undisturbed, the subject property and all areas affected by construction should be swept for unexploded ordinance. According to ACOE, a portion of the project site has been swept for unexploded ordinance, while portions remain to be swept. The applicant should obtain proof/approval from the Department of Toxic Substance Control (DTSC) that the entire site has been swept and cleared before issuance of grading permits. The project applicant would be required to implement the mitigation measures as detailed in Section V, MMRP of the attached MND, to reduce project-specific impacts to below significant levels.

### **Paleontological Resources**

The project site is underlain by the Friars Formation which exhibits high paleontological resource sensitivity in the project area. Grading for the proposed project would require excavation and removal of approximately 18,895 cubic yards of cut material, 5,145 cubic yards of fill, and would extend to depths of approximately 17 feet below the surface. According to the City of San Diego Paleontology Guidelines (City of San Diego 2002), impacts to paleontological resources are considered potentially significant for areas with a high sensitivity if grading would exceed 1,000 cubic yards and extend to a depth of 10 or more feet. Because project grading would exceed both of these thresholds, the proposed project could result in a potentially significant impact to paleontological resources. Therefore, the project would require paleontological monitoring during grading and excavation activities. The project applicant would be required to implement the mitigation measures as detailed in Section V, MMRP of the attached MND, to reduce project-specific impacts to below significant levels.

The following environmental issue was considered during review and determined not to be significant: Hydrology/Water Quality and Land Use (Marine Corp Air Station Miramar)

### **Hydrology/Water Quality**

A water quality technical report entitled, *Water Quality Technical Report Tucker Self Storage* was prepared for the proposed project by Snipes-Dye Associates dated November 21, 2006, and a site specific preliminary drainage report entitled, *Preliminary Hydrology/Hydraulic Calculations for Onsite Drainage for The Tucker Self Storage Facility* was also prepared for the proposed project by Project Design Consultants dated January 2002.

According to the water quality technical and drainage reports, the project is contributory to the Mission San Diego Hydrology Unit of the San Diego River Basin (907.11). The site discharges directly to Murphy Canyon Creek, discharging to the lower San Diego River. The San Diego River Watershed comprises approximately 440 square miles, being the second largest hydraulic unit in San Diego County. The watershed includes portions of the Cities of

San Diego, La Mesa, Poway and Santee along with portions of the unincorporated County. Approximately 42 percent of the watershed is developed. The project site represents less than 0.01 percent of the total San Diego River Watershed.

The westerly site, Parcel A, comprising approximately 1.9 acres consists of steep manufactured cut slopes on both sides of the former roadway. The roadway alignment slopes at 10 to 15 percent toward the west. Current site drainage accumulates from the slopes to the roadway and flows in a concentrated pattern towards the west, discharging to a portion of Murphy Canyon.

The easterly site, Parcel B, comprising approximately 1.8 acres consists of previously disturbed and natural terrain. The area of the wedge shaped parcel proposed for development is the majority of the disturbed site. The area includes a flat terrace and manufactured slopes. The terrain slopes northerly toward Clairemont Mesa Boulevard and easterly toward a finger canyon of Murphy Canyon.

The sites currently concentrate slope and overland flow drainage, discharging to the natural drainage pattern adjacent to the sites. Proposed site drainage for the west site, Parcel A will consist of roof down drains discharging to access driveways swaled to surface drain to a single catch basin located at the westerly edge of the developed site access drive. The catch basin discharges through a storm drain to a rock dissipator located at the westerly boundary of the site. Drainage will flow from the dissipator in a semi concentrated condition along the current offsite flow path. Proposed site drainage will not be diverted from the current site drainage pattern.

Proposed site drainage for the east site, Parcel B will consist of roof down drains discharging to access driveways swaled to surface drain to a single catch basin located at the easterly end of the site development. The catch basin discharges through a connecting storm drain discharging to a curb outlet along the southerly side of Clairemont Mesa Boulevard. Structural catch basin filters will be installed in all basins. Filters will be sized in accordance with accepted flow based calculations.

Comprehensive, permanent post-construction water quality best management practices (BMP's), consistent with those detailed in the Water Quality Technical Report, would be incorporated into the project plans to reduce the amount of pollutants (i.e., oil, grease, heavy metals) and sediments discharged from the site, satisfactorily to the City Engineer. Compliance with the City of San Diego's Storm Water Standards would avoid or reduce water quality impacts to below a level of significance.

#### **Land Use (MCAS Miramar)**

The proposed project is located within the MCAS Miramar Airport Environs Overlay Zone. The purpose of the Airport Environs Overlay Zone is to provide supplemental regulations for property surrounding airports such as MCAS Miramar. The intent of the regulation is to ensure that land uses are compatible with the operation; to provide a mechanism whereby property owners receive information regarding the noise impacts and safety hazards

associated with their property's proximity to aircraft operations; and to ensure that provisions of the California Administrative Code Title 21 for incompatible of Airports for incompatible land uses are satisfied. The use proposed for this project (self-storage) is compatible with the Airport Environs Overlay Zone.

### **Land Use (Tierrasanta Community Plan)**

The proposed site location in the Tierrasanta Community Plan area is designated for light industrial use. The proposed project is requesting a ~~Community Plan Amendment (CPA)~~ and a Rezone from the current RS-1-1, IH-2-1 and IP-2-1 zones to an IL-2-1 zone which allows for a mix of light industrial use, office use, with limited commercial use. Along with the ~~Community Plan Amendment~~ and Rezone, the project would require a Planned Development Permit (PDP), Site Development Permit (SDP) and a Right-of-Way Vacation. The PDP would allow for deviations from the regulations pursuant to San Diego Municipal Code Section 126.0602(b)(1). With approvals for the ~~CPA~~, Rezone, Right-of Way Vacation and PDP, and SDP, the proposed self storage use would be consistent with the Tierrasanta Community Plan.

### **Geology**

A geotechnical evaluation was entitled, *Limited Engineering Geologic Evaluation, Tucker Self Storage Tierrasanta Research Park, San Diego* dated April 13, 2005 was prepared for the proposed project. The referenced geotechnical document have been reviewed and approved by LDR-Geology. Based on that review, the geotechnical consultant has adequately addressed the soil conditions potentially affecting the proposed project for the purposes of environmental review. Additional geotechnical review is not needed at this time for review of the PDP and SDP. Additional geotechnical review will be required as final grading plans are developed for the site.

## **V. RECOMMENDATION:**

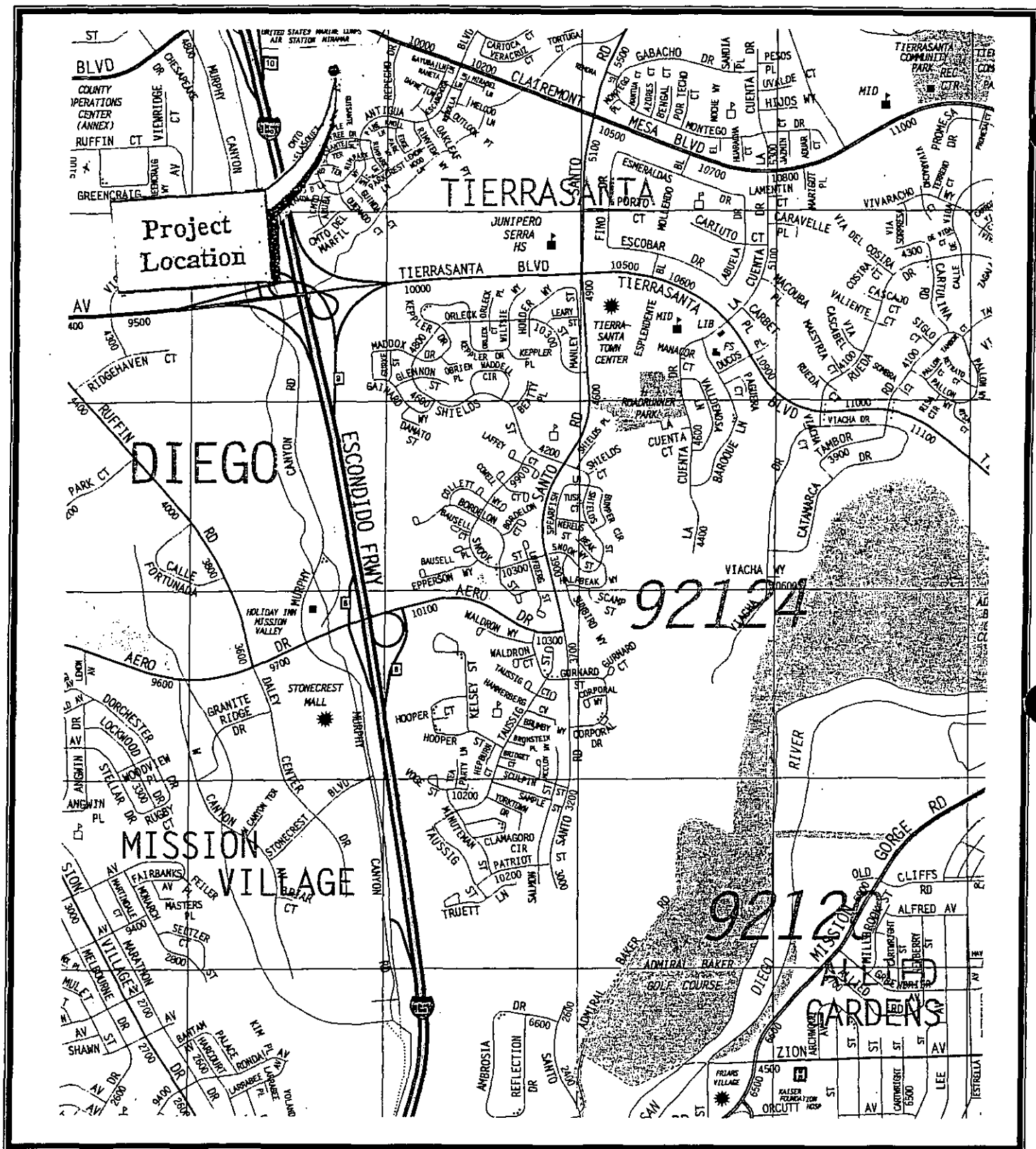
On the basis of this initial evaluation:

- ☐ The proposed project would not have a significant effect on the environment, and a NEGATIVE DECLARATION SHOULD BE PREPARED.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in Section IV above have been added to the project. A MITIGATED NEGATIVE DECLARATION should be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT should be required.

PROJECT ANALYST: Herbert Warren

Attachments: Figure 1: Location Map  
Figure 2: Site Plan

Figure 3: Elevations  
Figure 4: Vegetation  
Initial Study Checklist



Tucker Self Storage

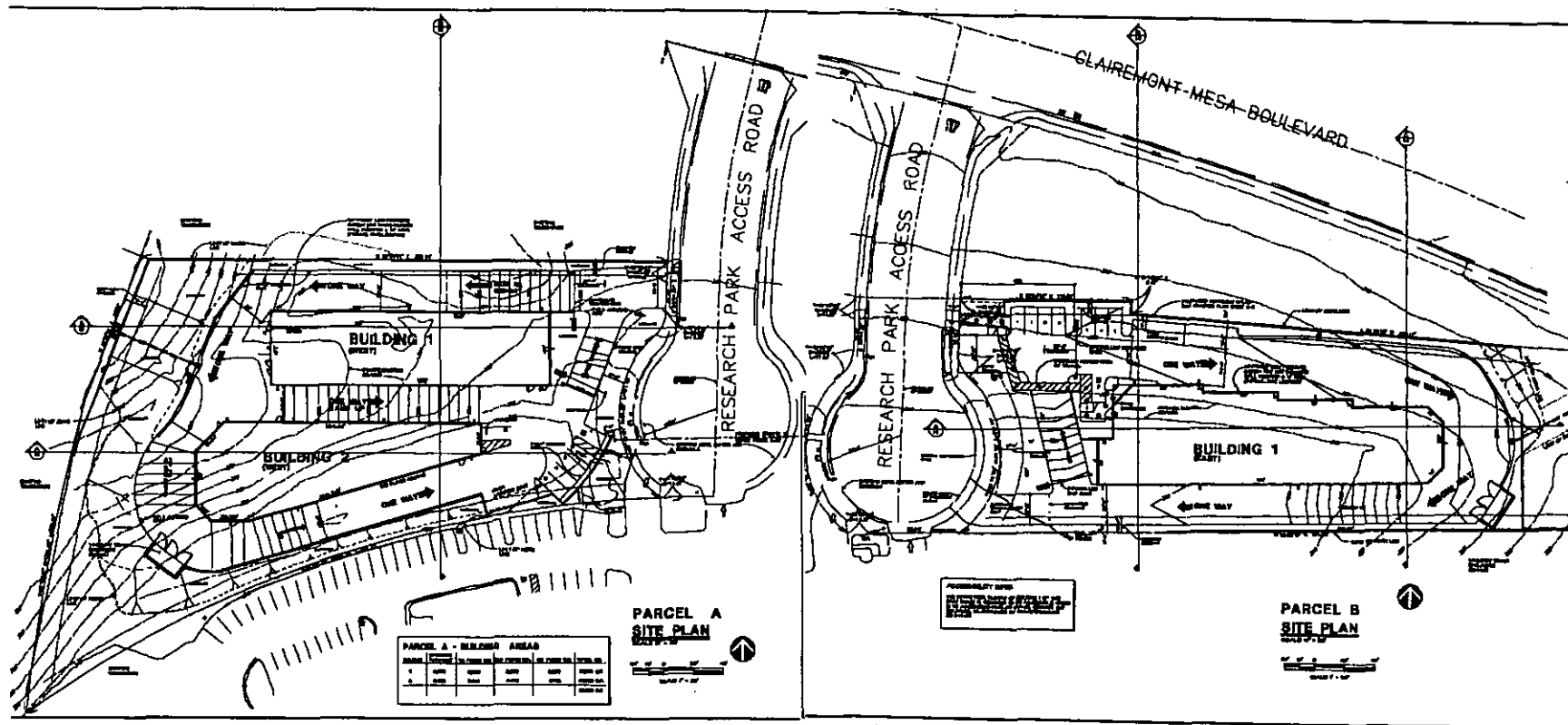
## Location Map

Environmental Analysis Section Project No. 67993  
CITY OF SAN DIEGO • DEVELOPMENT SERVICES

Figure

1





Tucker Self Storage



## Site Plan

Environmental Analysis Section - Project No. 67993

CITY OF SAN DIEGO · DEVELOPMENT SERVICES

Figure

2





**Figure**  
**4**

## Initial Study Checklist

Date: November 25, 2006

Project No.: 67993

Name of Project: Tucker Self Storage

### III. ENVIRONMENTAL ANALYSIS:

The purpose of the Initial Study is to identify the potential for significant environmental impacts which could be associated with a project pursuant to Section 15063 of the State CEQA Guidelines. In addition, the Initial Study provides the lead agency with information which forms the basis for deciding whether to prepare an Environmental Impact Report, Negative Declaration or Mitigated Negative Declaration. This Checklist provides a means to facilitate early environmental assessment. However, subsequent to this preliminary review, modifications to the project may mitigate adverse impacts. All answers of "yes" and "maybe" indicate that there is a potential for significant environmental impacts and these determinations are explained in Section IV of the Initial Study.

Yes    Maybe    No

#### I. AESTHETICS / NEIGHBORHOOD CHARACTER – Will the proposal result in:

- |  |          |          |          |
|--|----------|----------|----------|
| A. The obstruction of any vista or scenic view from a public viewing area?<br><u>No such vista or scenic views are identified on or adjacent to the project site.</u>  | <u>—</u> | <u>—</u> | <u>X</u> |
| B. The creation of a negative aesthetic Site or project?<br><u>No such negative aesthetic site would be created by the proposed project.</u>   | <u>—</u> | <u>—</u> | <u>X</u> |
| C. Project bulk, scale, materials, or style which would be incompatible with surrounding development?<br><u>Proposed bulk, scale, materials and style of the project is compatible with the surrounding development and consistent with the Tierrasanta Community Plan and Development Guidelines.</u> | <u>—</u> | <u>—</u> | <u>X</u> |

- D. Substantial alteration to the existing character of the area? — — X  
See I.C. above.
- E. The loss of any distinctive or landmark tree(s), or a stand of mature trees? — — X  
No such distinctive or landmark tree(s) or stand of mature trees exists on-site.
- F. Substantial change in topography or ground surface relief features? — — X  
No such change would result.
- G. The loss, covering or modification of any unique geologic or physical features such as a natural canyon, sandstone bluff, rock outcrop, or hillside with a slope in excess of 25 percent? — — X  
No such loss or modification of unique geological or physical features would occur.
- H. Substantial light or glare? — — X  
Proposed lighting would comply with all current street lighting standards in accordance with the City of San Diego Street Design Manual and would not create substantial light or glare.
- I. Substantial shading of other properties? — — X  
The proposed (3) and (4) story buildings would not result in substantial shading of adjacent properties.
- II. AGRICULTURE RESOURCES / NATURAL RESOURCES / MINERAL RESOURCES – Would the proposal result in:
- A. The loss of availability of a known mineral resource (e.g., sand or gravel) that would be of value to the region and the residents of the state? — — X  
The project site is within an urban area and is not suitable for mining of mineral resources.

Yes      Maybe      No

- B. The conversion of agricultural land to nonagricultural use or impairment of the agricultural productivity of agricultural land?

—      —      X

**The site is located in an urban area. No such agricultural lands exist on-site.**

III. AIR QUALITY – Would the proposal:

- A. Conflict with or obstruct implementation of the applicable air quality plan?  
**The proposed project would not conflict with or obstruct implementation of any applicable air quality plan.**

—      —      X

- B. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

—      —      X

**The proposed project could result in temporary emissions such as dust from grading operations. However, standard dust control practices would be implemented during grading and construction operations.**

- C. Expose sensitive receptors to substantial pollutant concentrations?  
**See III.A and B.**

—      —      X

- D. Create objectionable odors affecting a substantial number of people?  
**See III.A and B.**

—      —      X

- E. Exceed 100 pounds per day of Particulate Matter 10 (dust)?  
**See III.A and B.**

—      —      X

- F. Alter air movement in the area of the project?  
**The four story structures would not alter air movement in the area.**

—      —      X

- G. Cause a substantial alteration in moisture, or temperature, or any change in

climate, either locally or regionally?

**The project would not cause such alterations.**

<u>Yes</u>	<u>Maybe</u>	<u>No</u>
—	—	<u>X</u>

IV. BIOLOGY – Would the proposal result in:

- A. A reduction in the number of any unique, rare, endangered, sensitive, or fully protected species of plants or animals?

—	<u>X</u>	—
---	----------	---

**The proposed project would impact two sensitive vegetation communities, coastal sage scrub and non-native grassland habitats. See Initial Study discussion, Section IV, Biological Resources.**

- B. A substantial change in the diversity of any species of animals or plants?  
**See IV.A.**

—	<u>X</u>	—
---	----------	---

- C. Introduction of invasive species of plants into the area?  
**Any project landscaping would adhere to the City's Landscaping Standards.**

—	—	<u>X</u>
---	---	----------

- D. Interference with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors?  
**No such corridors exist on site.**

—	—	<u>X</u>
---	---	----------

- E. An impact to a sensitive habitat, including, but not limited to streamside vegetation, aquatic, riparian, oak woodland, coastal sage scrub or chaparral?  
**See IV.A.**

—	<u>X</u>	—
---	----------	---

- F. An impact on City, State, or federally regulated wetlands (including, but not limited to, coastal salt marsh, vernal pool, lagoon, coastal, etc.) through direct removal, filling, hydrological interruption or other means?  
**No such resources exist on site.**

—	—	<u>X</u>
---	---	----------

- G. Conflict with the provisions of the City's

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
Multiple Species Conservation Program Subarea Plan or other approved local, regional or state habitat conservation plan? <u>See IV.A.</u>	—	<u>X</u>	—
V. ENERGY – Would the proposal:			
A. Result in the use of excessive amounts of fuel or energy (e.g. natural gas)? <u>The project would not result in the use of excessive amounts of fuel or energy.</u>	—	—	<u>X</u>
B. Result in the use of excessive amounts of power? <u>See V.A.</u>	—	—	<u>X</u>
VI. GEOLOGY/SOILS – Would the proposal:			
A. Expose people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? <u>According to the City's Seismic Safety Study Maps, the project site lies within the geologic hazard categories 23, Slide prone formation, friars neutral or favorable geologic structure. The proposed project would meet engineering standards</u>	—	—	<u>X</u>
B. Result in a substantial increase in wind or water erosion of soils, either on or off the site? <u>No such increase would result, either on- or off-site from the proposed project.</u>	—	—	<u>X</u>
C. Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? <u>See VI.A.</u>	—	<u>X</u>	—
VII. HISTORICAL RESOURCES – Would the proposal result in:			



	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
A. Alteration of or the destruction of a prehistoric or historic archaeological site? <u>The project site is located outside of the City's mapped historical resources sensitivity area and is located within a previously disturbed (former/existing roadway) area with development to the south, and roadways to the north, west, and northeast completely developed urban area. No historic structures exist on-site.</u>	—	—	<u>X</u>
B. Adverse physical or aesthetic effects to a prehistoric or historic building, structure, object, or site? <u>No such buildings or structures exist on site.</u>	—	—	<u>X</u>
C. Adverse physical or aesthetic effects to an architecturally significant building, structure, or object? <u>See VII.A.</u>	—	—	<u>X</u>
D. Any impact to existing religious or sacred uses within the potential impact area? <u>See VII.A.</u>	—	—	<u>X</u>
E. The disturbance of any human remains, including those interred outside of formal cemeteries? <u>See VII.A.</u>	—	—	<u>X</u>
VIII. HUMAN HEALTH / PUBLIC SAFETY / HAZARDOUS MATERIALS: Would the proposal:			
A. Create any known health hazard (excluding mental health)? <u>Portions of the project site were once used as a military training location (Camp Elliott) and may contain unexploded ordinances. See initial Study discussion, Section IV, Human Health/Public Safety.</u>	—	<u>X</u>	—
B. Expose people or the environment to a significant hazard through the routine			

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
transport, use or disposal of hazardous materials?	—	—	<u>X</u>
<b><u>The project does not propose to routinely transport, use or dispose of hazardous materials.</u></b>			
C. Create a future risk of an explosion or the release of hazardous substances (including but not limited to gas, oil, pesticides, chemicals, radiation, or explosives)?	—	<u>X</u>	—
<b><u>See VIII.A.</u></b>			
D. Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	—	—	<u>X</u>
<b><u>No such impairment or interference with plan would result from the project.</u></b>			
E. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or environment?	—	<u>X</u>	—
<b><u>See VIII.A.</u></b>			
F. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	—	<u>X</u>	—
<b><u>See VIII.A.</u></b>			
<b>IX. HYDROLOGY/WATER QUALITY – Would the proposal result in:</b>			
A. An increase in pollutant discharges, including down stream sedimentation, to receiving waters during or following construction? Consider water quality parameters such as temperature dissolved oxygen, turbidity and other typical storm water pollutants.	—	—	<u>X</u>
<b><u>The proposed project is required to comply with the City's Stormwater Regulations. See Initial Study discussion, Section IV, Hydrology/Water Quality.</u></b>			

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
B. An increase in impervious surfaces and associated increased runoff? <u>See IX.A.</u>	—	—	<u>X</u>
C. Substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes? <u>No substantial alterations in drainage patterns would result.</u>	—	—	<u>X</u>
D. Discharge of identified pollutants to an already impaired water body (as listed on the Clean Water Act Section 303(d) list)? <u>See IX.A.</u>	—	—	<u>X</u>
E. A potentially significant adverse impact on ground water quality? <u>See IX.A.</u>	—	—	<u>X</u>
F. Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses? <u>See IX.A.</u>	—	—	<u>X</u>
X. LAND USE – Would the proposal result in:			
A. A land use which is inconsistent with the adopted community plan land use designation for the site or conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over a project? <u>The proposed project would require a CPA and a Rezone to comply with the Tierrasanta Community Plan. The Tierrasanta Community Plan does not apply a specific land use designation for the project site. However, the Industrial Element of the community plan states that approximately 3 developable acres may be added to the existing 6-acre, Industrial designated site to the south of the project site, after the Interstate 15 interchange has been completed and after Clairemont Mesa Boulevard has been aligned.</u>	—	—	<u>X</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
B. A conflict with the goals, objectives and recommendations of the community plan in which it is located? <u>See X.A.</u>	—	—	<u>X</u>
C. A conflict with adopted environmental plans, including applicable habitat conservation plans adopted for the purpose of avoiding or mitigating an environmental effect for the area? <u>The proposed project would not conflict with adopted environmental plans.</u>	—	—	<u>X</u>
D. Physically divide an established community? <u>The proposed project would not divide an established community.</u>	—	—	<u>X</u>
E. Land uses which are not compatible with aircraft accident potential as defined by an adopted Airport Land Use Compatibility Plan? <u>The proposed project site is located within the Marine Corp Air Station Miramar Airport Influence Area. See Initial Study discussion, Section IV, Land Use.</u>	—	—	<u>X</u>
XI. NOISE – Would the proposal result in:			
A. A significant increase in the existing ambient noise levels? <u>A temporary increase in noise may occur during project construction. However, should this noise increase occur, it would not be considered significant due to its temporary, short term nature. Furthermore, all construction related noise must comply with the City's Municipal Code.</u>	—	—	<u>X</u>
B. Exposure of people to noise levels which exceed the City's adopted noise ordinance? <u>See XI.A.</u>	—	—	<u>X</u>
C. Exposure of people to current or future transportation noise levels which exceed standards established in the Transportation Element of the General Plan or an			

	Yes	Maybe	No
adopted Airport Land Use Compatibility Plan <u>See X.E.</u>	—	—	<u>X</u>
XII. PALEONTOLOGICAL RESOURCES: Would the proposal impact a unique paleontological resource or site or unique geologic feature? <u>The proposed project is underlain with the geologic Friars Formation, which has been assigned a high fossil resource potential. Paleontological monitoring would be required as the site may have significant paleontological resources. See Mitigation, Monitoring and Reporting Program (MMRP) discussion and Initial Study Discussion, Section IV, Paleontological Resources.</u>	—	<u>X</u>	—
XIII. POPULATION AND HOUSING – Would the proposal:			
A. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? <u>The proposed project would not alter local population characteristics.</u>	—	—	<u>X</u>
B. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? <u>The proposed project would not displace existing housing.</u>	—	—	<u>X</u>
C. Alter the planned location, distribution, density or growth rate of the population of an area? <u>See XIII.A.</u>	—	—	<u>X</u>
XIV. PUBLIC SERVICES – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service level ratios, response times or other performance objectives for any of the public services:			

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
A. Fire protection? <u>Urbanized area, all services exist.</u>	<u>—</u>	<u>—</u>	<u>X</u>
B. Police protection? <u>Urbanized area, all services exist.</u> <u>Project site is within the</u>	<u>—</u>	<u>—</u>	<u>X</u>
C. Schools? <u>The proposed self storage development</u> <u>would not result in the need for such</u> <u>services.</u>	<u>—</u>	<u>—</u>	<u>X</u>
D. Parks or other recreational facilities? <u>See XIV.C.</u>	<u>—</u>	<u>—</u>	<u>X</u>
E. Maintenance of public facilities, including roads? <u>The project would be assessed</u> <u>Development Impact Fees (DIF) to</u> <u>maintain such facilities.</u>	<u>—</u>	<u>—</u>	<u>X</u>
F. Other governmental services? <u>Urbanized area, services exist.</u>	<u>—</u>	<u>—</u>	<u>X</u>

XV. RECREATIONAL RESOURCES – Would the proposal result in:

A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? <u>The proposed self storage facility</u> <u>would not increase usage of any parks</u> <u>or other recreational facilities.</u>	<u>—</u>	<u>—</u>	<u>X</u>
B. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? <u>The proposed self storage project does</u> <u>not require such recreational facilities.</u> <u>No adverse effects on the environment</u> <u>would occur.</u>	<u>—</u>	<u>—</u>	<u>X</u>

Yes    Maybe    No

XVI. TRANSPORTATION/CIRCULATION – Would the proposal result in:

- |   |   |   |          |
|---|---|---|----------|
| A. Traffic generation in excess of specific/<br>community plan allocation?<br><b><u>The proposed project would not<br/>generate an excessive volume of<br/>traffic.</u></b>   | — | — | <u>X</u> |
| B. An increase in projected traffic which is<br>substantial in relation to the existing traffic<br>load and capacity of the street system?<br><b><u>See XVI.A.</u></b>  | — | — | <u>X</u> |
| C. An increased demand for off-site parking?<br><b><u>No increased demand for off-site<br/>parking would occur.</u></b>   | — | — | <u>X</u> |
| D. Effects on existing parking?<br><b><u>Adequate on-site parking would be<br/>provided with no effects on adjacent<br/>properties.</u></b>   | — | — | <u>X</u> |
| E. Substantial impact upon existing or<br>planned transportation systems?<br><b><u>No such impact would result as the<br/>project would not add a substantial<br/>amount of trips to the existing and<br/>planned transportation systems.</u></b>   | — | — | <u>X</u> |
| F. Alterations to present circulation<br>movements including effects on existing<br>public access to beaches, parks, or<br>other open space areas?<br><b><u>No significant alterations to the<br/>present circulation pattern would<br/>occur with this project.</u></b>                        | — | — | <u>X</u> |
| G. Increase in traffic hazards for motor vehicles,<br>bicyclists or pedestrians due to a proposed,<br>non-standard design feature (e.g., poor sight<br>distance or driveway onto an access-restricted<br>roadway)?<br><b><u>The project would be designed to<br/>engineering standards.</u></b> | — | — | <u>X</u> |
| H. A conflict with adopted policies, plans or<br>programs supporting alternative transportation   |   |   |          |

	Yes	Maybe	No
models (e.g., bus turnouts, bicycle racks)?	—	—	<u>X</u>
<b><u>The project would not conflict with any such plans or programs.</u></b>			

XVII. UTILITIES

Would the proposal result in a need for new systems, or require substantial alterations to existing utilities, including:

- |  |   |   |          |
|--|---|---|----------|
| A. Natural gas?  | — | — | <u>X</u> |
| <b><u>Urbanized area, no new system required.</u></b>                  |   |   |          |
| B. Communications systems?   | — | — | <u>X</u> |
| <b><u>Urbanized area, no new system required.</u></b>                  |   |   |          |
| C. Water?  | — | — | <u>X</u> |
| <b><u>Urbanized area, no new system required.</u></b>                  |   |   |          |
| D. Sewer?  | — | — | <u>X</u> |
| <b><u>The project would construct a new sewer system.</u></b>          |   |   |          |
| E. Storm water drainage?   | — | — | <u>X</u> |
| <b><u>The project would construct a new storm drainage system.</u></b> |   |   |          |
| F. Solid waste disposal?   | — | — | <u>X</u> |
| <b><u>Adequate Services is provided.</u></b>                           |   |   |          |

XVIII. WATER CONSERVATION – Would the proposal result in:

- |   |   |   |          |
|---|---|---|----------|
| A. Use of excessive amounts of water?   | — | — | <u>X</u> |
| <b><u>The proposed project would not result in excessive water use.</u></b>                     |   |   |          |
| B. Landscaping which is predominantly non-drought resistant vegetation?                         | — | — | <u>X</u> |
| <b><u>Required landscaping would be consistent with the City's Landscaping Regulations.</u></b> |   |   |          |

XIX. MANDATORY FINDINGS OF SIGNIFICANCE:



	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
<p>A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?</p> <p><b><u>There is a potential for impacts to public health and safety, biological resources, land use, and paleontological resources. See Initial Study discussion, Section IV, Public Health and Safety, Biological Resources, Paleontological Resources, Land Use.</u></b></p>	—	<u>X</u>	—
<p>B. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts would endure well into the future.)</p> <p><b><u>Project would not have the potential to achieve short-term, to the disadvantage of the long-term, environmental goals.</u></b></p>	—	—	<u>X</u>
<p>C. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment are significant.)</p> <p><b><u>The project would not have cumulative impacts.</u></b></p>	—	—	<u>X</u>
<p>D. Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?</p>	—	<u>X</u>	—

Yes   Maybe   No

The project could have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly. See Initial Study Discussion, Section IV, Human Health/Public Safety

## INITIAL STUDY CHECKLIST

### REFERENCES

#### I. Aesthetics / Neighborhood Character

\_\_\_ City of San Diego Progress Guide and General Plan.

X Community Plan.

\_\_\_ Local Coastal Plan.

#### II. Agricultural Resources / Natural Resources / Mineral Resources

\_\_\_ City of San Diego Progress Guide and General Plan.

X U.S. Department of Agriculture, Soil Survey - San Diego Area, California, Part I and II, 1973.

\_\_\_ California Department of Conservation - Division of Mines and Geology, Mineral Land Classification.

\_\_\_ Division of Mines and Geology, Special Report 153 - Significant Resources Maps.

\_\_\_ Site Specific Report:

#### III. Air N/A

\_\_\_ California Clean Air Act Guidelines (Indirect Source Control Programs) 1990.

\_\_\_ Regional Air Quality Strategies (RAQS) - APCD.

\_\_\_ Site Specific Report:

#### IV. Biology

X City of San Diego, Multiple Species Conservation Program (MSCP), Subarea Plan, 1997

X City of San Diego, MSCP, "Vegetation Communities with Sensitive Species and Vernal Pools" maps, 1996.

X   City of San Diego, MSCP, "Multiple Habitat Planning Area" maps, 1997.

  X   Community Plan - Resource Element.

       California Department of Fish and Game, California Natural Diversity Database, "State and Federally-listed Endangered, Threatened, and Rare Plants of California," January 2001.

       California Department of Fish & Game, California Natural Diversity Database, "State and Federally-listed Endangered and Threatened Animals of California," January 2001.

  X   City of San Diego Land Development Code Biology Guidelines.

  X   Site Specific Report: *Biological Technical Report for Tucker Self Storage* dated September, 2006 by RC Biological Consulting.

**V. Energy N/A**

**VI. Geology/Soils**

  X   City of San Diego Seismic Safety Study.

  X   U.S. Department of Agriculture Soil Survey - San Diego Area, California, Part I and II, December 1973 and Part III, 1975.

  X   Site Specific Report: *Limited Engineering Geological Evaluation, Tucker Self Storage, Adjacent to Tierrasanta Research Park, San Diego* dated April 13, 2005 by James R. Evans, Vista CA.

**VII. Historical Resources**

  X   City of San Diego Historical Resources Guidelines.

  X   City of San Diego Archaeology Library.

  X   Historical Resources Board List.

       Community Historical Survey:

       Site Specific Report:

**VIII. Human Health / Public Safety / Hazardous Materials**

- ☒ San Diego County Hazardous Materials Environmental Assessment Listing, 2006.
- ☐ San Diego County Hazardous Materials Management Division
- ☐ FAA Determination
- ☐ State Assessment and Mitigation, Unauthorized Release Listing, Public Use Authorized 1995.
- ☒ Airport Land Use Compatibility Plan.
- ☐ Site Specific Report:

**IX. Hydrology/Water Quality**

- ☒ Flood Insurance Rate Map (FIRM).
- ☐ Federal Emergency Management Agency (FEMA), National Flood Insurance Program - Flood Boundary and Floodway Map.
- ☐ Clean Water Act Section 303(b) list, dated May 19, 1999, [http://www.swrcb.ca.gov/tmdl/303d\\_lists.html](http://www.swrcb.ca.gov/tmdl/303d_lists.html).
- ☒ Water Quality Technical Report, Tucker Self Storage, April, 2006 by FUSCOE Engineering.
- ☒ Hydrology/Hydraulic Report, Tucker Self Storage, April, 2006 by FUSCOE Engineering.

**X. Land Use**

- ☐ City of San Diego Progress Guide and General Plan.
- ☒ Community Plan.
- ☒ Airport Land Use Compatibility Plan.
- ☒ City of San Diego Zoning Maps
- ☐ FAA Determination

## **XI. Noise**

☒ Community Plan

☐ Site Specific Report:

☐ San Diego International Airport - Lindbergh Field CNEL Maps.

☐ Brown Field Airport Master Plan CNEL Maps.

☐ Montgomery Field CNEL Maps.

☐ San Diego Association of Governments - San Diego Regional Average Weekday Traffic Volumes.

☐ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG.

☐ City of San Diego Progress Guide and General Plan.

☐ Site Specific Report:

## **XII. Paleontological Resources**

☒ City of San Diego Paleontological Guidelines.

☐ Deméré, Thomas A., and Stephen L. Walsh, "Paleontological Resources City of San Diego," Department of Paleontology San Diego Natural History Museum, 1996.

☒ Kennedy, Michael P., and Gary L. Peterson, "Geology of the San Diego Metropolitan Area, California. Del Mar, La Jolla, Point Loma, La Mesa, Poway, and SW 1/4 Escondido 7 1/2 Minute Quadrangles," California Division of Mines and Geology Bulletin 200, Sacramento, 1975.

☐ Kennedy, Michael P., and Siang S. Tan, "Geology of National City, Imperial Beach and Otay Mesa Quadrangles, Southern San Diego Metropolitan Area, California," Map Sheet 29, 1977.

☐ Site Specific Report:

## **XIII. Population / Housing**

☐ City of San Diego Progress Guide and General Plan.

☒ Community Plan.

\_\_\_ Series 8 Population Forecasts, SANDAG.  
\_\_\_ Other:

**XIV. Public Services**

\_\_\_ City of San Diego Progress Guide and General Plan.

X Community Plan.

**XV. Recreational Resources**

\_\_\_ City of San Diego Progress Guide and General Plan.

X Community Plan.

\_\_\_ Department of Park and Recreation

\_\_\_ City of San Diego - San Diego Regional Bicycling Map

\_\_\_ Additional Resources:

**XVI. Transportation / Circulation**

\_\_\_ City of San Diego Progress Guide and General Plan.

X Community Plan.

\_\_\_ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG.

\_\_\_ San Diego Region Weekday Traffic Volumes, SANDAG.

~~X~~ Site Specific Report: Traffic Impact Analysis Tucker Self Storage, March 28, 2006 by Kimley-Horn and Associates, Inc.

**XVII. Utilities**

\_\_\_

**XVIII. Water Conservation N/A**

\_\_\_ Sunset Magazine, New Western Garden Book. Rev. ed. Menlo Park, CA: Sunset Magazine.

<b>REQUEST FOR COUNCIL ACTION</b> CITY OF SAN DIEGO		338 7117					
TO: CITY ATTORNEY		1. CERTIFICATE (FOR AUDITOR)					
2. FROM (ORIGINATING DEPARTMENT): Development Services Department		3. DATE: March 17, 2007					
4. SUBJECT: Tucker Self Storage							
5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.): Patricia Grabski, 446-5277, MS 302		6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.): Mike Westlake, 446-5220, MS 502					
		7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED <input checked="" type="checkbox"/>					
<b>8. COMPLETE FOR ACCOUNTING PURPOSES</b>							
FUND		9. ADDITIONAL INFORMATION / ESTIMATED COST:  The project entails a ground lease pursuant to Settlement Agreement (TRP Limited v. City of San Diego, et al, and SCC No. 578191) approved by City Council Resolution No. 274804, 12/4/89. A stipulation of the Agreement is that the City pays for the processing of the project's entitlements. Development Services' costs are reimbursed from the Risk Management Liability Fund.					
DEPT.	1317						
ORGANIZATION	1711						
OBJECT ACCOUNT	4038						
JOB ORDER	4556						
C.I.P. NUMBER							
AMOUNT							
<b>10. ROUTING AND APPROVALS</b>							
ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIG. DEPT	MARCEL A. SEOBANECK	3/20/07	8	DEPUTY CHIEF	JAMES T. WARING	3/21/07
2	EAS	MARTHA BLAKE	3/19/07	9	COO		
3				10	CITY ATTORNEY		04-06-07
4	CFO			11	ORIG. DEPT	MIKE WESTLAKE	3/20/07
5				DOCKET COORD: _____ COUNCIL LIAISON: _____			
6				<input checked="" type="checkbox"/> COUNCIL PRESIDENT <input type="checkbox"/> SPOB <input type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION			
7				<input type="checkbox"/> REFER TO: _____ COUNCIL DATE: _____			
11. PREPARATION OF: <input checked="" type="checkbox"/> RESOLUTIONS <input checked="" type="checkbox"/> ORDINANCE(S) <input type="checkbox"/> AGREEMENT(S) <input type="checkbox"/> DEED(S)							
1. Resolution certifying the information contained in LDR File No. 67992 has been completed in compliance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines, and that said Mitigated Negative Declaration (MND) No. 67993 reflects the independent judgment of the City of San Diego as Lead Agency, stating for the record the final MND has been reviewed and considered prior to approving the project, and adopting the Mitigation, Monitoring and Reporting Program.							
2. Ordinance rezoning portions of the 3.35-acres site from RS-1-1 (Residential-Single Unit), IP-2-1 (Industrial - Park) and IH -2-1 (Industrial-Heavy) to IL-2-1 (Industrial-Light) in the Tierrasanta Community Plan area.							
3. Resolution approving Site Development Permit No. 205536.							
4. Resolution approving Public Right of Way Vacation No. 231224.							
11A. STAFF RECOMMENDATIONS:  Adopt the ordinance and approve the resolutions in item 11.							



6-000496  
12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)

COUNCIL DISTRICT: 7

COMMUNITY AREA(S): Tierrasanta

ENVIRONMENTAL IMPACT: The City of San Diego under CEQA has completed Mitigated Negative Declaration No. 67993, dated January 30, 2007.

HOUSING IMPACT: The Tierrasanta Community Plan does not apply a specific land use designation for the project site. The proposed project would involve the construction of a self storage facility on an undeveloped, excess right-of-way; therefore, the project would not result in the loss of any existing housing units.

INSTRUCTIONS TO THE CITY CLERK: Ten (10) day public notice is required.

000497

## EXECUTIVE SUMMARY SHEET

DATE REPORT ISSUED: February 15, 2007

REPORT NO.: PC-07032

ATTENTION: Council President and City Council

ORIGINATING DEPARTMENT: Development Services Department

SUBJECT: Tucker Self Storage. Project Number 67993

COUNCIL DISTRICT: 7

STAFF CONTACT: Patricia Grabski, (619) 446-5277, [pgrabski@sanidiego.gov](mailto:pgrabski@sanidiego.gov)

### REQUESTED ACTION:

Approval of a Rezone, Site Development Permit and Public Right-of-Way Vacation to construct three self storage buildings totaling 120,183-square feet on a 3.35-acre site at 9765 Clairemont Mesa Boulevard in the Tierrasanta Community Plan area.

### STAFF RECOMMENDATIONS:

1. **CERTIFY** Mitigated Negative Declaration No. 67993 and **ADOPT** the Mitigation, Monitoring and Reporting Program;
2. **APPROVE** Rezone No. 231223;
3. **APPROVE** Public Right of Way Vacation No. 231224; and
4. **APPROVE** Site Development Permit No. 205536.

### EXECUTIVE SUMMARY:

The proposed 3.35-acre vacant site is located east of Interstate 15 and south of Clairemont Mesa Boulevard, with military property to the north, commercial uses to the south and open space to the east within the Tierrasanta Community Plan area.

The project entails a 55-year ground lease with the City of San Diego pursuant to the Settlement Agreement in the case of TRP LIMITED V. CITY OF SAN DIEGO, ET AL, AND SCC No. 578191, approved by City Council Resolution No. 274804 on December 4, 1989. The settlement agreement allows Mr. Krutzsch, in exchange for relinquishing any claim of title to the disputed property, to lease the property for a commercial or industrial development.

This self storage project proposes two three-story buildings and one four-story building. Each building includes an office, lobby, and reception area on the first floor. Fifteen parking spaces and two loading spaces will be provided on-site.

The Tierrasanta Community Plan does not designate a specific land use to the site, however, the Industrial Element of the plan states that approximately three developable acres may be added to the existing six-acre, "industrial" designated site to the south of the project site, after the Interstate 15 interchange has been completed and Clairemont Mesa Boulevard has been aligned. Both right-of-way facilities have been completed, therefore, the proposal meets the intent of the Industrial Element of the community plan. In addition to this project's location adjacent to the freeway and existing industrial development, the proposed project would be buffered from multi-family residential development to the east by an existing open space easement. The project also would incorporate a mix of varying building materials and landscape screening that would serve to break up the bulk and mass of the proposed structures. Faux windows are located along the north elevation of the eastern most structure of the project, closest to

000498

Clairemont Mesa Boulevard. Varying roof lines and staggered setbacks would also be incorporated to further articulate the building façade along Clairemont Mesa Boulevard. Through these project features the objectives of the community plan to protect surrounding uses from visual impacts and visual appearance through aesthetic improvements and urban design will be implemented.

The project requires a rezone from RS-1-1, IH-2-1 and IP-2-1 to the IL-2-1 zone. The IL-2-1 zone allows for light industrial uses. The Public Right-of Way Vacation is for property which was formerly part of an Interstate 15 off-ramp and is no longer needed for public use. A Site Development Permit is required due to impacts to Environmentally Sensitive Lands. Approximately 2.36-acres of Coastal sage scrub habitat and 0.53-acres of Non-native Grassland will be impacted by the proposed project.

FISCAL CONSIDERATIONS:

This project emanated from a quiet title action in the case of TRP Limited v. City of San Diego, et al., SCC 578191, filed in 1986 over a dispute between the City of San Diego and Mr. Krutzsch as to the ownership of the subject property. The settlement agreement allows Mr. Krutzsch to ground lease the property for a commercial or industrial development.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

See fiscal considerations statement above.

PLANNING COMMISSION ACTION:

On February 15, 2007, the Planning Commission voted 6-0-1 to approve the project as proposed with the following recommendations: signage is to be located only in the areas and no larger than shown in the applicant's photo simulation; use a more native planting around the retaining walls and overall use native vegetation comparable to the open space.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

On August 16, 2006, the Tierrasanta Community Council and Planning Group voted 8:8:0, a tie vote. A tie vote of the planning group results in no official action. As summarized in their minutes, the project was supported because, it presented the least possible impacts in terms of traffic, noise and light that would exist were any other type of project planned. The false windows, granite facing and roof-top parapet makes the project look more like an office building than a typical self storage facility. Opposition to the project centered on visual impacts, rezoning and the use at the location.

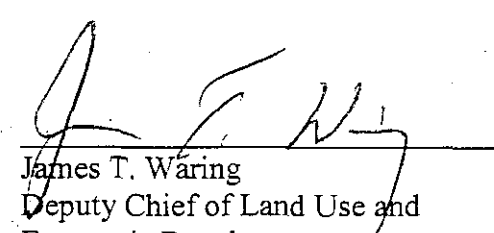
KEY STAKEHOLDERS:

Andy Krutzsch, Applicant

  
Marcela Escobar-Eck

Director

Development Services Department

  
James T. Waring

Deputy Chief of Land Use and

Economic Development

ATTACHMENTS: 1. Report to the Planning Commission  
2. Settlement Agreement

NOTICE OF DETERMINATION

TO: X <sup>000499</sup> ~~County Clerk~~  
P.O. Box 1750, MS A33  
1600 Pacific Hwy, Room 260  
San Diego, CA 92101-2422

FROM: City of San Diego  
Development Services Department  
1222 First Avenue, MS 501  
San Diego, CA 92101

Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

Project Number: 67993

State Clearinghouse Number: N/A

Permit Number: Site Development Permit No. 205536, Public Right of Way Vacation No. 231224 and Rezone No. 23122336

Project Title: Tucker Self Storage

Project Location: 9765 Clairemont Mesa Boulevard

Project Applicant: Land Solutions, 7593 El Paso Street, La Mesa, CA 91942 (619) 644-3300...

Project Description: PUBLIC RIGHT-OF-WAY VACATION, REZONE, AND SITE DEVELOPMENT PERMIT (SDP) to a 3.35-acre site for a 120,183 square-foot of self storage building at 9765 Clairemont Mesa Boulevard. The site is in the RS-1-1, IP-2-1, IH-2-1 and the Airport Environs Overlay Zones, within the Tierrasanta Community Plan area and Council District 7.

Legal Description: Parcel A and B of Lot 2, of Map No. 825.

This is to advise that the City of San Diego City Council on April 23, 2007 approved the above described project and made the following determinations:

1. The project in its approved form \_\_\_\_ will, X will not, have a significant effect on the environment.
2. \_\_\_\_ An Environmental Impact Report was prepared for this project and certified pursuant to the provisions of CEQA.  
X A Mitigated Negative Declaration No. 67993 was prepared for this project pursuant to the provisions of CEQA.  
\_\_\_\_ An addendum to NEGATIVE DECLARATION NO. OR MITIGATED NEGATIVE DECLARATION NO OR ENVIRONMENTAL IMPACT REPORT NO. was prepared for this project pursuant to the provisions of CEQA.

Record of project approval may be examined at the address above.

3. Mitigation measures X were, \_\_\_\_ were not, made a condition of the approval of the project.

It is hereby certified that the final environmental report, including comments and responses, is available to the general public at the office of the Land Development Review Division, Fifth Floor, City Operations Building, 1222 First Avenue, San Diego, CA 92101.

Analyst: M. Blake

Telephone: (619) 446-5375

Filed by: \_\_\_\_\_  
Signature  
Title

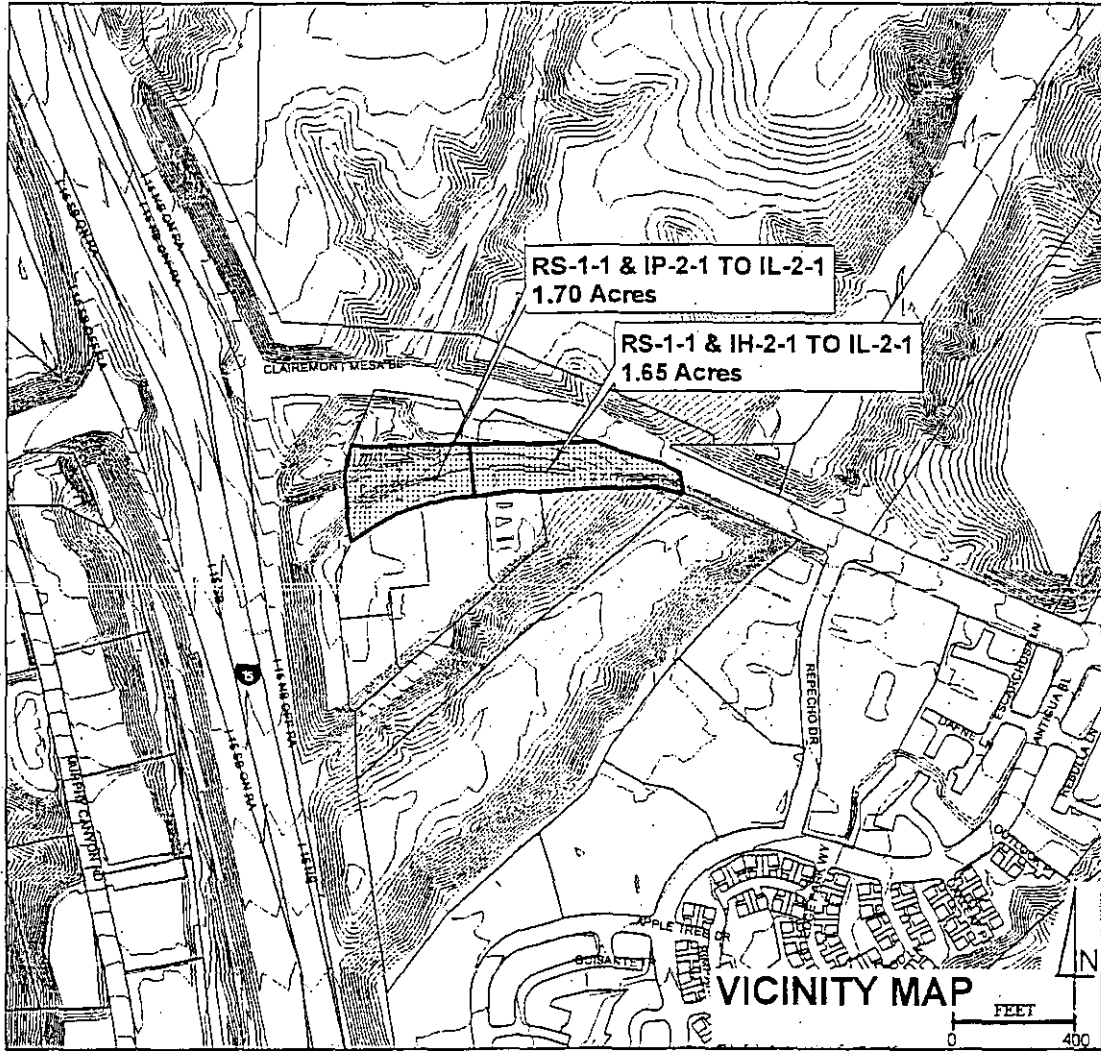
Reference: California Public Resources Code, Sections 21108 and 21152.

501



CITY OF SAN DIEGO • DEVELOPMENT SERVICES

# PROPOSED REZONING



Parcel A and B of Lot 2, of Map No. 825

ORDINANCE NO. _____	REQUEST IL-2-1	CASE NO. 42-0935/PTS 67993
EFF. DATE ORD. _____	PLANNING COMM. RECOMMENDATION	<i>Patricia Grubis</i> DEVELOPMENT SERVICES MANAGER
ZONING SUBJ. TO _____	CITY COUNCIL ACTION	<b>B- 4248</b>
BEFORE DATE _____		APN: 369-121-07
EFF. DATE ZONING _____		(242-1734) 11-13-06 lclj
MAP NAME AND NO. _____		

RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

WHEREAS, the City of San Diego, Owner, and Andy Krutzsch, Permittee submitted an application to the City of San Diego for a rezone, public right-of-way vacation, and site development permit for the Tucker Self-Storage Project; and

WHEREAS, the matter was set for a public hearing to be conducted by the Council of the City of San Diego; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the issue was heard by the City Council on \_\_\_\_\_; and

WHEREAS, the City Council considered the issues discussed in Mitigated Negative Declaration LDR No. 67993; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it is certified that Mitigated Negative Declaration LDR No. 67993, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process,

000504  
has been reviewed and considered by this Council in connection with the approval of a rezone, public right-of-way vacation, and site development permit for the Tucker Self-Storage Project.

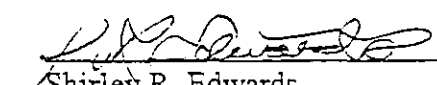
BE IT FURTHER RESOLVED, that the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that the Mitigated Negative Declaration, a copy of which is on file in the office of the City Clerk and incorporated by reference, is approved.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto, as Exhibit A, and incorporated herein by reference.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By

  
Shirley R. Edwards  
Chief Deputy City Attorney

SRE:pev  
04/10/07  
Or.Dept:DSD  
R-2007-930  
MMS #4573  
ENVIRONMENTAL - MND 11-01-04

## EXHIBIT A

## MITIGATION MONITORING AND REPORTING PROGRAM

Public Right-of-Way Vacation, Rezone, and Site Development Permit Project No. 67993

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA 92101. All mitigation measures contained in the Mitigated Negative Declaration No. 65484 shall be made conditions of the Site Development Permit and Rezone as may be further described below.

GENERAL

1. Prior to the issuance of a Notice to Proceed (NTP) or any permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the Assistant Deputy Director (ADD) environmental designee of the City's Land Development Review Division (LDR) shall verify that the following statement is shown on the grading and/or construction plans as a note under the heading Environmental Mitigation Requirements: Tucker Self Storage development project is subject to a Mitigation Monitoring and Reporting Program and shall conform to the mitigation conditions as contained in the Mitigated Negative Declaration 67993.
2. The owner/permittee shall make arrangements to schedule a pre-construction meeting to ensure implementation of the MMRP. The meeting shall include the Resident Engineer the Qualified Biologist and the City's Mitigation Monitoring Coordination (MMC) Section.

BIOLOGICAL RESOURCES

Prior to the issuance of a Notice to Proceed (NTP) or any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits the ADD environmental designee of the City's LDR Division shall incorporate the following mitigation measures into the project design and include them on all appropriate construction documents.

**I. Prior to Permit Issuance****A. Land Development Review (LDR) Plan Check**

1. Prior to the Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting, whichever is applicable, direct impacts to 0.53-acre of Non-native grassland (NNG), Tier IIIB habitat and 2.36-acres of Coastal sage scrub (CSS), Tier II habitat shall be mitigated at a 0.5:1 ratio for impacts to NNG and a 1:1 ratio for CSS impacts. The upland impacts shall



09-5-6

be mitigated to the satisfaction of the ADD/ environmental designee through the following method: Acquisition.

2. Prior to the Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting, the applicant shall acquire 0.27-acre of Tier IIIB and 2.36-acres of Tier II habitat within a City approved MHPA Conservation Bank by payment into the City's Habitat Acquisition Fund, the amount necessary to purchase 0.27-acre of Tier IIIB habitat and 2.36-acres of Tier II habitat, (the current per-acre contribution amount for the Habitat Acquisition Fund is \$25,000 per acre plus a 10 percent administration fee). The stated contribution would satisfy the mitigation acreage requirement of 0.5:1 (Tier IIIB) and 1:1 Tier II, for impacts outside the MHPA that would be mitigated inside the MHPA.

1. Coastal California Gnatcatcher (Federally Threatened)

Coastal California gnatcatcher (federally threatened)

Prior to the issuance of any grading permit, the City Mayor or environmental designee) shall verify that the Multi-Habitat Planning Area (MHPA) boundaries and the following project requirements regarding the coastal California gnatcatcher are shown on the construction plans:

No clearing, grubbing, grading, or other construction activities shall occur between March 1 and August 15, the breeding season of the coastal California gnatcatcher, until the following requirements have been met to the satisfaction of the City Manager: Qualified biologist (possessing a valid endangered species act section 10(a)(1)(a) recovery permit) shall survey those habitat areas within the MHPA that would be subject to construction noise levels exceeding 60 decibels [db(a)] hourly average for the presence of the coastal California gnatcatcher. Surveys for the coastal California gnatcatcher shall be conducted pursuant to the protocol survey guidelines established by the U.S. Fish and Wildlife Service within the breeding season prior to the commencement of any construction. If gnatcatchers are present; then the following conditions must be met:

1. Between March 1 and August 15, no clearing, grubbing, or grading of occupied gnatcatcher habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; and

Between March 1 and August 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 db (a) hourly average at the edge of occupied gnatcatcher habitat. An analysis showing that

000507

noise generated by construction activities would not exceed 60 db (a) hourly average at the edge of occupied habitat must be completed by a qualified acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the City Manager at least two weeks prior to the commencement of construction activities. Prior to the commencement of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; or

At least two weeks prior to the commencement of construction activities, under the direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 db(a) hourly average at the edge of habitat occupied by the coastal California gnatcatcher. Concurrent with the commencement of construction activities and the construction of necessary noise attenuation facilities, noise monitoring\* shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 db (a) hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (August 16).

\* construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 db(a) hourly average or to the ambient noise level if it already exceeds 60 db(a) hourly average. If not, other measures shall be implemented in consultation with the biologist and the city manager, as necessary, to reduce noise levels to below 60 db(a) hourly average or to the ambient noise level if it already exceeds 60 db(a) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

B. If coastal California gnatcatchers are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the City Manager and applicable resource agencies which demonstrates whether or not mitigation measures such as noise walls are necessary between March 1 and August 15 as follows:

1. If this evidence indicates the potential is high for coastal California gnatcatcher to be present based on historical records or site

600-  
000508

conditions, then condition A- III shall be adhered to as specified above.

2. If this evidence concludes that no impacts to this species are anticipated, no mitigation measures would be necessary.

#### PALEONTOLOGICAL RESOURCES

##### **I. Prior to Permit Issuance**

###### **A. Land Development Review (LDR) Plan Check**

1. Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

###### **B. Letters of Qualification have been submitted to ADD**

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

##### **II. Prior to Start of Construction**

###### **A. Verification of Records Search**

1. The PI shall provide verification to MMC that a site-specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

000599

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
  - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

2. Identify Areas to be Monitored

Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).

3. When Monitoring Will Occur

- a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
- b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. **The Construction Manager is responsible for**

000510

notifying the RE, PI, and MMC of changes to any construction activities.

2. The monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.

B. Discovery Notification Process

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

1. The PI shall evaluate the significance of the resource.
  - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
  - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
  - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils)

000511

the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.

- d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

#### IV. Night Work

##### A. If night work is included in the contract

1. When night work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
2. The following procedures shall be followed.

##### a. No Discoveries

In the event that no discoveries were encountered during night work, The PI shall record the information on the CSVN and submit to MMC via fax by 9am the following morning, if possible.

##### b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.

##### c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.

- d. The PI shall immediately contact MMC, or by 8AM the following morning to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

##### B. If night work becomes necessary during the course of construction

1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
2. The RE, or BI, as appropriate, shall notify MMC immediately.

##### C. All other procedures described above shall apply, as appropriate.

V. Post Construction

A. Submittal of Draft Monitoring Report

1. The PI shall submit two copies of the Draft Monitoring Report (even if negative) which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.
  - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
  - b. Recording Sites with the San Diego Natural History Museum  
  
The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
4. MMC shall provide written verification to the PI of the approved report.
5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Fossil Remains

1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate

000513

C. Curation of fossil remains: Deed of Gift and Acceptance Verification

1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

D. Final Monitoring Report(s)

1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

**HEALTH AND SAFETY**

Prior to Notice to Proceed (NTP) for any grading/construction permit, the applicant shall provide written verification to the Development Services Department Assistant Deputy Director (ADD) environmental designee from the Department of Toxic Substance Control assuring that the project site has been completely swept for unexploded ordnance and no longer presents a significant public safety/human health impact.



000515

CITY ATTORNEY DIGEST

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE \_\_\_\_\_

EFFECTIVE DATE \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 3.35 ACRES LOCATED AT 9765 CLAIREMONT MESA BOULEVARD, IN THE TIERRASANTA COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE RS-1-1 (RESIDENTIAL-SINGLE UNIT), IP-2-1 (INDUSTRIAL-PARK), AND IH-2-1 (INDUSTRIAL-HEAVY) ZONES INTO THE IL-2-1 (INDUSTRIAL-LIGHT) ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION 131.0603, AND REPEALING ORDINANCE NO.O-16187 (NEW SERIES), ADOPTED APRIL 2, 1984, OF ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HERewith.

This ordinance approves the rezoning of 3.35 acres from the RS-1-1 (Residential-Single Unit), IP-2-1 (Industrial-Park), and IH-2-1 (Industrial-Heavy) zones to the IL-2-1 (Industrial-Light) zone, in connection with property located 9765 Clairemont Mesa Boulevard, in the Tierrasanta Community Plan, in the City of San Diego, California.

This ordinance contains a notice that a full reading of this ordinance is dispensed with prior to its final passage, since a written or printed copy will be available to the City Council and the public a day prior to its final passage.

This ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

000516

A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 2nd Floor, City Administration Building, 202 C Street, San Diego, CA 92101.

SRE:pev

04/10/07

Or.Dept:DSD

O-2007-121

MMS #4573

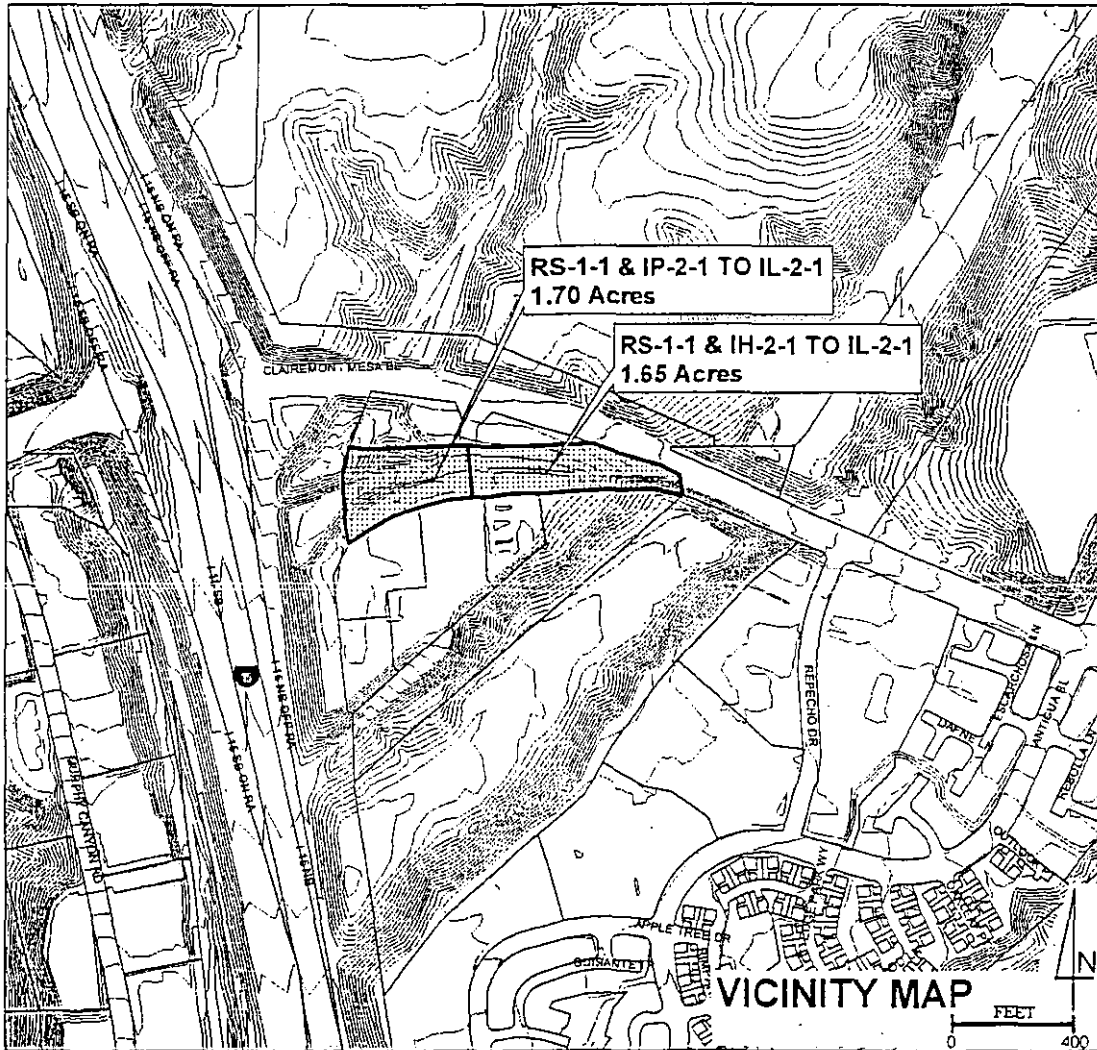
ZONING Rezone Digest 11-01-04

000517



CITY OF SAN DIEGO • DEVELOPMENT SERVICES

# PROPOSED REZONING



Parcel A and B of Lot 2, of Map No. 825		CASE NO. 42-0935/PTS 67993
ORDINANCE NO. _____	REQUEST IL-2-1	 DEVELOPMENT SERVICES MANAGER
EFF. DATE ORD. _____	PLANNING COMM. RECOMMENDATION	
ZONING SUBJ. TO _____	CITY COUNCIL ACTION	<b>B- 4248</b>
BEFORE DATE _____		APN: 369-121-07
EFF. DATE ZONING _____		(242-1734) 11-13-06 lclj
MAP NAME AND NO. _____		

000519

RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

WHEREAS, the City of San Diego, Owner/Andy Krutzsch, Permittee, filed an application with the City of San Diego for a site development permit to construct a 120,183 square-foot self-storage facility known as the Tucker Self-Storage project, located at 9765 Clairemont Mesa Boulevard, and legally described as Parcel A and B of Lot 2 of Map 825, thereof, filed January 21, 1897 in the Office of the county Recorder of the City of San Diego, County of San Diego, State of California, in the Tierrasanta Community Plan area, in the RS-1-1 (Residential-Single Unit), IP-2-1 (Industrial-Park), and IH-2-1 (Industrial-Heavy) zones which are proposed to be rezoned to the IL-2-1 (Industrial-Light) zone. The IL-2-1 zone allows a mix of light industrial and office uses with limited commercial (San Diego Municipal Code [SDMC] section 131.0603); and

WHEREAS, on February 15, 2007, the Planning Commission of the City of San Diego considered site development permit [SDP] No. 205536, and pursuant to Resolution No. 4223-PC voted to recommend voted to recommend City Council approval of the Permit; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

000520

WHEREAS, the matter was set for public hearing on \_\_\_\_\_,

testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Site Development Permit No. 205536:

**A. SITE DEVELOPMENT PERMIT - SAN DIEGO MUNICIPAL CODE [SDMC] SECTION 126.0504**

**1. Findings for all Site Development Permits - SDMC section 126.0504(a):**

**a. The proposed development will not adversely affect the applicable land use plan.** The Tucker Self-Storage project proposes to construct three self-storage buildings totaling 120,183 square feet on a vacant 3.35-acre site owned by the City of San Diego. While, the Tierrasanta Community Plan does not apply a specific land use designation for the project site, the Industrial Element of the Plan states that approximately three developable acres may be added to the existing six-acre, "industrial" designated site to the south of the subject project site, after the interstate 15 interchange has been completed and after Clairemont Mesa Boulevard has been aligned. Currently, both of these right-of-way facilities have been completed.

The Tucker Self-Storage proposal would meet the intent of the Industrial Element of the community plan by providing additional "Light Industrial" development; therefore, as proposed, the project would not adversely impact the Tierrasanta Community Plan.

**b. The proposed development will not be detrimental to the public health, safety, and welfare.** Conditions of approval for the Site Development Permit address public health, safety and welfare issues. Compliance with applicable building, plumbing, electrical and grading regulations will be required during the construction phase of the proposed project.

The Tierrasanta area has been historically used as a military training area known as Camp Elliott and portions of the project site appear to be located in this military training area. Because the project would involve grading areas which appear to be previously undisturbed, the applicant will be required to obtain proof/approval from the Department of Toxic Substance Control [DTSC] that the entire site has been swept and cleared before issuance of grading permits; therefore, as conditioned, the proposed development will not be detrimental to the public health, safety and welfare.

**c. The proposed development will comply with the regulations of the Land Development Code.** The proposed project requires a rezone from the RS-1-1, IH-2-1 and IP-2-1 zones to the IL-2-1 zone. The IL-2-1 zone allows for a mix of light industrial uses and office uses with limited commercial uses. Along with the rezone the project requires a Site

000521

Développement Permit [SDP], and a Public Right-of-Way Vacation. The Public Right-of-Way Vacation is for the property which was formerly part of an Interstate 15 off-ramp. A SDP is required due to impacts to Environmentally Sensitive Lands. Approximately 2.36-acres of Coastal sage scrub habitat (CSS Tier II) and 0.53-acres of Non-native Grassland (NNGL Tier IIIB) will be impacted by the proposed project.

d. **The proposed development, when considered as a whole, will be beneficial to the community.** The Tucker Self-Storage proposed development will provide a necessary self-storage facility that is currently unavailable within the community. The proposed development will provide safe and secure storage. The permit has been conditioned to ensure that no outside storage is permitted and hours of operation are limited to 7 am to 7 pm daily, therefore, the proposed development, when considered as a whole, will be beneficial to the community by providing self-storage facilities.

e. **Any proposed deviations pursuant to SDMC section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.** No deviations are requested. The proposed development has been designed and conditioned to ensure conformance to the requirements of the City of San Diego Land Development Code.

**2. Supplemental Findings – Environmentally Sensitive Lands – SDMC section 126.0504(b)**

a. **The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.** The proposed project is within the City of San Diego's Multiple Species Conservation Program [MSCP], but outside of the Multiple Habitat Planning Area [MHPA] boundary as delineated within the City's MSCP Subarea Plan. Mitigation would be required for direct impacts to 2.36 acres of coastal sage scrub onsite and for impacts to 0.53 acres of non-native grassland onsite. Mitigation for direct impacts to the habitats onsite would consist of either offsite acquisition in a City approved Mitigation Bank or payment into the City's Habitat Acquisition Fund. Based upon the mitigation the proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.

The proposed development footprint is located within previously graded areas and areas with a slope of 25 percent or less. A condition of the Permit requires a recorded covenant of easement to restrict development on portions of the site with natural slopes greater than 25 percent. The covenant of easement will include a description of the development area and the environmentally sensitive lands, areas with natural slopes greater than 25 percent that will be preserved. The purpose of the covenant is to impart notice to all persons to the extent afforded by the recording laws of the state regarding the restrictions affecting use of the environmentally sensitive lands covered by the permit to ensure that the burdens of the covenant shall be binding; the benefits of the covenant shall inure to, all successors in interest to the affected premises; and to ensure enforceability of the covenant of easement by the City; therefore, the proposed development is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

000522  
 b. **The proposed development will minimize the alteration of natural landforms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.** The project site is underlain by the Friars Formation which exhibits high paleontological resource sensitivity in the project area. Grading for the proposed project would require excavation and removal of approximately 18,895 cubic yards of cut material, 5,145 cubic yards of fill, and would extend to depths of approximately 17 feet below the surface. According to the City of San Diego Paleontology Guidelines (City of San Diego 2002), impacts to paleontological resources are considered potentially significant for areas with a high sensitivity if grading would exceed 1,000 cubic yards and extend to a depth of 10 or more feet. Because project grading would exceed both of these thresholds, the proposed project could result in a potentially significant impact to paleontological resources. Therefore, the project would require paleontological monitoring during grading and excavation activities. The project applicant would be required to implement the mitigation measures as detailed in Section V, MMRP of the attached MND, to reduce project-specific impacts to below significant levels.

According to the City of San Diego Seismic Safety Study Maps, the project site is assigned a Geologic Hazard Rating of 52 (favorable geologic structure; low to moderate risk). Proper engineering design of the self storage facility would ensure that the potential for geologic impacts from on-site and regional hazards would be less than significant.

No earthquake faults have been mapped on or immediately adjacent to the site. The project would not result in fire hazards. The project has been designed to meet all fire and life safety codes. The project design minimizes impacts to natural land forms. Therefore, the proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

c. **The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.** See a. above.

d. **The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.** The proposed project would occur within the City of San Diego's MSCP, but outside of the MHPA boundary as delineated within the City's MSCP Subarea Plan. Mitigation would be required for direct impacts to 2.36 acres of coastal sage scrub onsite and for impacts to 0.53 acres of non-native grassland onsite. Mitigation for direct impacts to the habitats onsite would consist of either offsite acquisition in a City approved Mitigation Bank or payment into the City's Habitat Acquisition Fund. Based upon the mitigation the proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.

e. **The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.** The proposed project is not located on a beach or bluffs and will not contribute to the erosion of public beaches. A Water Quality Technical Report entitled, Water Quality Technical Report Tucker Self Storage was prepared for the proposed project by Snipes-Dye Associates dated November 21, 2006, and a site specific preliminary drainage report entitled, Preliminary Hydrology/Hydraulic Calculations for Onsite Drainage for The Tucker Self Storage Facility was also prepared for the proposed project by Project Design Consultants dated January 2002. According to reports the project is contributory

000523  
 to the Mission San Diego Hydrology Unit of the San Diego River Basin (907.11). The site discharges directly to Murphy Canyon Creek, discharging to the lower San Diego River; therefore, the proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.


f. **The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.** The project has been designed to minimize disturbances to the environment and reduce all impacts to a level below significance. The proposed development will be located on the least environmentally sensitive portions of the property. The City of San Diego conducted an Initial Study in accordance with the California Environmental Quality Act. The Initial Study determined that the project could have a significant environmental effect in the following areas: Paleontological Resources, Biological Resources and Health/Safety. A draft Mitigated Negative Declaration was prepared, and a Mitigation, Monitoring and Reporting Program [MMRP] have been developed to ensure that the project would not have a significant negative environmental impact on these resources. The MMRP contains measures that have been identified in various approved technical reports to reduce potential project impacts to the identified resources. The MMRP contains measures that have been identified in various approved technical report to reduce potential project impacts to below a level of significance. Thus, all mitigation reasonable related to and calculated to alleviate negative impacts created by the proposed development have been or will be incorporated into the conditions of the development permits.

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED, that Site Development Permit No. 205536 is granted to the City of San Diego, Owner/Andy Krutzsch, Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By

  
 Shirley R. Edwards  
 Chief Deputy City Attorney

SRE:pev  
 04/10/07  
 Or.Dept:DSD  
 R-2007-931  
 MMS #4573



000525

**RECORDING REQUESTED BY**  
CITY OF SAN DIEGO  
DEVELOPMENT SERVICES DEPARTMENT  
PERMIT INTAKE, MAIL STATION 501

**WHEN RECORDED MAIL TO**  
**CITY CLERK**  
**MAIL STATION 2A**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER 67993

**SITE DEVELOPMENT PERMIT NO. 205536**  
**TUCKER SELF-STORAGE [MMRP]**  
**CITY COUNCIL**

This Site Development Permit No. 205536 is granted by the City Council of the City of San Diego to the City of San Diego, Owner/Andy Kruttsch, Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0504. The 3.35-acre site is located at 9765 Clairemont Mesa Boulevard in the RS-1-1 (Residential-Single Unit), IP-2-1 (Industrial-Park), and IH-2-1 (Industrial-Heavy) zone (proposed IL-2-1 (Industrial-Light) zone) of the Tierrasanta Community Plan area. The project site is legally described as Parcel A and B of Lot 2, of Map No. 825 thereof, filed January 21, 1897 in the Office of the county Recorder of the City of San Diego, County of San Diego, State of California.

Subject to the terms and conditions set forth in this Permit, permission is granted to the Permittee to construct three self-storage buildings totaling 120,183 square feet on two adjacent parcels (Parcel "A" West Phase, a 68,868 square-foot parcel, and Parcel "B" East Phase, a 51,315 square-foot parcel), described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated \_\_\_\_\_, on file in the Development Services Department.

The project or facility shall include:

- a. Development on Parcel "A" West Phase would consist of two 3-story buildings sitting atop a basement. Parcel "A" Building 1 would consist of 8,695 square feet for each of the three floors and the basement, for a total of 34,780 square feet. Parcel "A" Building 2 would consist of 8,522 square feet for each of the three floors and the basement for a total of 34,088 square-feet.
- b. Development on Parcel "B" East Phase would consist of one 4-story building with 12,765 square feet for the first floor and 12,850 square feet each for floors 2 through 4, of the Parcel "B" Building. The total square

000526

footage for this Building would be 51,315 square feet. The 3- and 4 story structures would include self-storage on all building levels, with an office, lobby, and reception area on the first floor of Parcel "B" East Phase Building;

- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking facilities shall consist of a minimum of fifteen parking spaces including two accessible spaces plus two loading zone spaces;
- e. Hours of operation shall be 7:00 am to 7:00 pm daily; and
- f. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

#### **STANDARD REQUIREMENTS:**

1. Construction, grading or demolition must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
  - a. The Permittee signs and returns the Permit to the Development Services Department; and
  - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.
4. This Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.

000527

5. The utilization and continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

6. Issuance of this Permit by the City of San Diego does not authorize the Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the ESA and by the California Department of Fish and Game [CDFG] pursuant to Fish and Game Code section 2835 as part of the Multiple Species Conservation Program [MSCP], the City of San Diego through the issuance of this Permit hereby confers upon Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO 18394. Third Party Beneficiary status is conferred upon Permittee by the City: (1) to grant Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFG, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Permittee of mitigation obligations required by this Permit, as described in accordance with Section 17.1D of the IA.

8. The Permittee shall secure all necessary building permits. The Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

9. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. Plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

10. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/

Committee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

11. This Permit shall become effective with recordation of the corresponding final parcel map for and approval of the project site.

12. This Permit may be developed in phases. Each phase shall be constructed prior to sale or lease to individual owners or tenants to ensure that all development is consistent with the conditions and exhibits approved for each respective phase (per the approved exhibits).

#### **ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

13. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program [MMRP]. These MMRP conditions are incorporated into the permit by reference or authorization for the project.

14. As conditions of Site Development Permit [SDP] No. 205536, the mitigation measures specified in the MMRP, and outlined in the Mitigated Negative Declaration LDR No. 67993 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.

15. The Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration LDR No. 67993 satisfactory to the City Manager and City Engineer. To the extent any mitigation requirements are to be fulfilled during or after grading or construction, the Permittee shall demonstrate to the satisfaction of the City Engineer prior to the issuance of the first grading permit that measures have been implemented to ensure that such mitigation requirements will be fulfilled. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

General; Biological Resources; Paleontological Resources; and Health and Safety.

16. Prior to issuance of any construction permit, the applicant shall pay the Long Term Monitoring Fee in accordance with the Development Services Fee Schedule to cover the City's costs associated with implementation of permit compliance monitoring.

17. Prior to Notice to Proceed [NTP] for any grading/construction permit, the applicant shall provide written verification to the Development Services Department Assistant Deputy Director [ADD] environmental designee from the Department of Toxic Substance Control assuring that the project site has been completely swept for unexploded ordnance and no longer presents a significant public safety/human health impact.

**ENGINEERING REQUIREMENTS:**

18. Prior to the issuance of any construction permit; the Permittee shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practices [BMP's] maintenance.

19. Prior to the issuance of any construction permit, the applicant shall incorporate any construction BMP's necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

20. Prior to the issuance of any construction permits the Permittee shall incorporate and show the type and location of all post-construction BMP's on the final construction drawings, in accordance with the approved Water Quality Technical Report.

21. The drainage system proposed for this development is private and subject to approval by the City Engineer.

22. Prior to the issuance of a building permit the Permittee shall obtain a grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

23. This project proposes to export 13,750 cubic yards of material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow the onsite processing and sale of the export material unless the underlying zone allows a construction and demolition debris recycling facility with an approved Neighborhood Use Permit or Conditional Use Permit per San Diego Municipal Code/Land Development Code [SDMC/LDC] section 141.0620(i).

24. Development of this project shall comply with all requirements of State Water Resources Control Board [SWRCB] Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan [SWPPP] and a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent [NOI] shall be filed with the SWRCB.

25. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received. In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 99 08 DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 99 08 DWQ.

LANDSCAPE REQUIREMENTS:

26. In the event that the Landscape Plan and the Site Plan conflict, the Site Plan shall be revised to be consistent with the Landscape Plan such that landscape areas are consistent with the Exhibit "A," Landscape Development Plan.

27. Prior to issuance of any construction permits for public right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the City Manager for approval. Improvement plans shall take into account a 40-square foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees. In no event shall there be less than nine street trees within the public right of way.

28. Prior to issuance of any construction permits for buildings (including shell), complete landscape and irrigation construction documents consistent with the Land Development Manual: Landscape Standards shall be submitted to the City Manager for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan. Construction plans shall take into account a 40-square foot area around each tree which is unencumbered by hardscape and utilities as set forth under SDMC/LDC section 142.0403(b) 5.

29. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Permittee or subsequent Permittee to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees. Copies of these approved documents must be submitted to the City Manager.

30. Prior to issuance of any grading permit, to include slope restoration, the Permittee or subsequent Permittee shall enter into a Landscape Establishment/Maintenance Agreement [LEMA] to assure long-term establishment and maintenance of the slope areas. The LEMA shall be approved by the Landscape Section of Development Services and the City Manager. The agreement shall commence prior to release of the performance bond with Permittee or subsequent Permittee posting a new bond to cover the terms of the agreement.

31. Construction Documents for grading shall include the following note:  
"Installation of landscaping associated with these construction documents shall require a minimum short-term establishment period of 120 days for all native/naturalized slope restoration and a minimum long-term establishment/maintenance period of 25 months." Final approval of the required landscaping shall be to the satisfaction of the Mitigation Monitoring Coordination Section of the Development Services Department.

32. The Permittee or subsequent Permittee shall be responsible for the installation and maintenance of all landscape improvements consistent with the Land Development Code: Landscape Regulations and the Land Development Manual: Landscape Standards. Invasive species are prohibited from being planted adjacent to any canyon, water course,

000531

wet land or native habitats within the city limits of San Diego. Invasive plants are those which rapidly self propagate by air born seeds or trailing as noted in section 1.3 of the Landscape Standards.

33. All proposed retaining, screening/privacy walls and or fences visible from the public right of way shall be screened with an evergreen vine, shrub and or tree or any combination of these plant materials to ensure that it will cover 80 percent of the walls in two years.

34. The Permittee or subsequent Permittee shall be responsible to ensure that irrigation drainage run off shall be directed away from the Multiple Habitat Preserve Area or from the transitional areas to ensure that no impacts occur in these areas.

35. Prior to issuance of grading permits, interim landscape and erosion control measures, including hydroseeding of all disturbed land (all slopes and pads), shall be submitted to the satisfaction of the City Manager (including the City's Environmental Analysis Section) and City Engineer. All plans shall be in substantial conformance to Exhibit "A," and all other applicable conditions of related permits.

36. The timely erosion control including planting and seeding of all slopes and pads consistent with the approved plans is considered to be in the public interest and the Permittee shall initiate such measures within forty-five days from the date that the grading of the site is deemed to be complete. Such erosion control and the associated irrigation systems (temporary for all slopes and permanent, for pads) and appurtenances shall be installed in accordance with the approved plans and with the Landscape Standards of the Land Development Manual.

37. All required landscape shall be maintained in a disease, weed, and litter free condition at all times and shall not be modified or altered unless this Permit has been amended. Modifications such as severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit. The Permittee shall be responsible to maintain all street trees and landscape improvements consistent with the standards of the Land Development Manual.

38. If any required landscape (including, but not limited to, existing or new plantings, hardscape, landscape features) indicated on the approved plans is damaged or removed during demolition, it shall be repaired or replaced in-kind and equivalent size per the approved plans within thirty days of completion of construction by the Permittee. The replacement size of plant material after three years shall be the equivalent size of that plant at the time of removal (the largest size commercially available or an increased number) to the satisfaction of the City Manager.

39. Prior to issuance of the first construction permit, plans shall be revised to show the retaining wall pulled back 3 feet from the property line adjacent to the open space and planted with more native vegetation.

40. Planting shall be of more native vegetation that is comparable to the adjacent open space.

PLANNING/DESIGN REQUIREMENTS:

41. No fewer than fifteen parking spaces including two accessible spaces, plus two loading zone spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the City Manager.
42. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as a condition of approval of this Permit. Where there is a conflict between a condition (including exhibits) of this Permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.
43. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections) or the maximum permitted building height of the underlying zone, whichever is lower, unless a deviation or variance to the height limit has been granted as a specific condition of this Permit.
44. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Permittee.
45. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.
46. Prior to the issuance of any building permit. The Permittee shall record a covenant of easement against the title to the affected premises and executed in favor of the City. The Permittee shall draft the covenant of easement as follows:
- a. to contain a legal description of the premises affected by the permit with a description of the development area and the environmentally sensitive lands that will be preserved;
  - b. to impart notice to all persons to the extent afforded by the recording laws of the state regarding the restrictions affecting use of the environmentally sensitive lands covered by the permit to ensure that the burdens of the covenant shall be binding upon;
  - c. the benefits of the covenant shall inure to, all successors in interest to the affected premises; and



000533

d. to ensure enforceability of the covenant of easement by the City.

47. All signs associated with this development shall be consistent with sign criteria established by the following:

a. Signage is to be located only in the areas and no larger than shown in the applicant's photo simulation as presented to the City Council on \_\_\_\_\_, which is included as part of Exhibit "A."

48. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located.

49. Prior to the issuance of any building permits, complete outdoor lighting information shall be submitted to the Development Services Department, Land Development Review Division, for review and approval. Complete lighting information shall include a plan view photometric analysis indicating an isofoot candle plot and a point by point plot to include all areas within the private property and to extend a minimum of 50 feet beyond the property line, construction details as necessary to direct installation of the outdoor lighting system, manufacturers name, visors, prisms, lenses and reflectors and a lighting plan locating each fixture in plan view and a legend. The outdoor lighting system shall be designed, manufactured and installed to allow shading, adjusting, and shielding of the light source so all outdoor lighting is directed to fall only onto the same premises as light sources are located.

50. Prior to the issuance of any occupancy permit, a night inspection shall be required to verify compliance of the outdoor lighting system. No light shall be directed to fall outside the property line. Light levels along the perimeter of the property shall be measured no higher than three footcandles. Light levels throughout the development shall be the least practical level necessary to effectively illuminate the operation. Sky glow or light halo shall be reduced to the greatest extent practical and in no case shall initial light levels be measured exceeding eight footcandles anywhere within the site. The Permittee, or an authorized representative, shall provide an illuminance meter to measure light levels as required to establish conformance with the conditions of this Permit during the night inspection. Night inspections may be required additional fees as determined by the City Manager.

51. The use of textured or enhanced paving shall meet applicable City standards as to location, noise and friction values.

52. The subject property and associated common areas on site shall be maintained in a neat and orderly fashion at all times.

53. All uses, except storage and loading, shall be conducted entirely within an enclosed building. Outdoor storage of merchandise, material and equipment is permitted in any required interior side or rear yard, provided the storage area is completely enclosed by walls, fences, or a combination thereof. Walls or fences shall be solid and not less than six feet in height and, provided further, that no merchandise, material or equipment stored not higher than any adjacent wall.

000534

54. No mechanical equipment, tank, duct, elevator enclosure, cooling tower, mechanical ventilator, or air conditioner shall be erected, constructed, converted, established, altered, or enlarged on the roof of any building, unless all such equipment and appurtenances are contained within a completely enclosed structure whose top and sides may include grillwork, louvers, and latticework.

55. No merchandise, material, or equipment shall be stored on the roof of any building.

56. No mechanical equipment shall be erected, constructed, or enlarged on the roof of any building on this site, unless all such equipment is contained within a completely enclosed architecturally integrated structure.

57. Prior to the issuance of building permits, construction documents shall fully illustrate compliance with the Citywide Storage Standards for Trash and Recyclable Materials (SDMC) to the satisfaction of the City Manager. All exterior storage enclosures for trash and recyclable materials shall be located in a manner that is convenient and accessible to all occupants of and service providers to the project, in substantial conformance with the conceptual site plan marked Exhibit "A."

#### **TRANSPORTATION REQUIREMENTS:**

58. Whenever street rights-of-way are required to be dedicated, it is the responsibility of the applicant to provide the right-of-way free and clear of all encumbrances and prior easements. The subdivider must secure "subordination agreements" for minor distribution facilities and/or "joint-use agreements" for major transmission facilities.

59. The Permittee shall construct a 26-foot and 24-foot wide City Standard driveway, adjacent to the westerly and easterly site, respectively, on Research Park Access Road. All work shall be completed and accepted by the City Engineer, prior to building occupancy.

60. The Permittee shall construct a minimum 20-foot wide emergency access for Parcel B on the east side, satisfactory to the City Engineer.

61. The Permittee shall dedicate a 1-foot right-of-way along the east side of the project and shall dedicate 2-feet along the west side of the project to provide 10-foot curb to property line distance, satisfactory to the City Engineer

62. This project shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 297376, filed November 25, 2002) and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 (Resolution R-296141) satisfactory to the City Engineer. This may require (but not be limited to) installation of new street light(s), upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage.

000535

**WASTEWATER REQUIREMENTS:**

63. All on-site wastewater systems shall be private.
64. All proposed public sewer facilities are to be designed and constructed in accordance with established criteria in the most current City of San Diego sewer design guide. Proposed facilities that do not meet the current standards shall be private or re-designed.
65. The Permittee shall design and construct all proposed private sewer facilities to conform with the most current State, Federal and City Regulations, and to the requirements of the most current edition of the Metropolitan Wastewater Department Sewer Design Guide and/or the California Uniform Plumbing Code as adopted by the City of San Diego.

**WATER REQUIREMENTS:**

66. Prior to the issuance of any building permits Permittee shall assure, by permit and bond, the design and construction of new water service(s) and the removal of all existing unused services within the Research Park Access Road right-of-way, in a manner satisfactory to the Water Department Director and the City Engineer.
67. Prior to the issuance of any building permits the Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s) on each water service (domestic, fire, and irrigation), in a manner satisfactory to the Water Department Director, the City Engineer, and the Cross Connection Supervisor in the Customer Support Division of the Water Department.
68. Prior to the issuance of any certificates of occupancy, public water facilities necessary to serve the development, including services, shall be complete and operational in a manner satisfactory to the Water Department Director and the City Engineer.
69. Prior to the issuance of any certificates of occupancy, the Permittee shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer.
70. The Permittee agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Water facilities as shown on the approved Exhibit "A" shall be modified at final engineering to comply with standards.

**GEOLOGY REQUIREMENTS:**

71. Geotechnical review will be required at final grading and building plans.

**INFORMATION ONLY:**

000536

Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code section 66020.

APPROVED by the City Council of the City of San Diego on \_\_\_\_\_,  
by Resolution No. R-\_\_\_\_\_.

000537

AUTHENTICATED BY THE CITY MANAGER

By \_\_\_\_\_

\_\_\_\_\_  
The undersigned Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Permittee hereunder.

CITY OF SAN DIEGO  
Owner

By \_\_\_\_\_

By \_\_\_\_\_

ANDY KRUTZCH  
Permittee

By \_\_\_\_\_

By \_\_\_\_\_

**NOTE: Notary acknowledgments  
must be attached per Civil Code  
section 1180 et seq.**

PERMIT/OTHER - Permit Shell 11-01-04

000539

RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

WHEREAS, California Streets and Highways Code section 8330 et seq. and San Diego Municipal Code section 125.1001 et seq. provide a procedure for the vacation of a public right-of-way easement by City Council resolution where the easements are no longer required; and

WHEREAS, the affected property owner has requested the vacation of the public right-of-way easement, to unencumber this property and facilitate development of the site as conditioned in approved Site Development Permit No. 205536; and

WHEREAS, the City Council finds that:

1. **There is no present or prospective public use for the public right-of-way, either for the facility for which it was originally acquired or for any other public use of a like nature that can be anticipated.** The proposed public right-of way vacation is for property which was formerly an Interstate 15 off-ramp. Since a new interchange for Interstate 15 and Clairemont Mesa Boulevard has been constructed there is no present or prospective use for the existing public right-of-way, either for the purpose for which it was originally acquired for or any other public use or a like nature that can be anticipated that requires it to remain.
2. **The public will benefit from the action through improved use of the land made available by the vacation.** The action of vacating the right-of-way will benefit the public by adding 3.35-acres of light industrial land to the City of San Diego.
3. **The vacation does not adversely affect any applicable land use plan.** The proposed vacation will not adversely affect the applicable land use plan. Specifically, the Tierrasanta Community Plan's Industrial Element states the subject property should be added to the existing 6-acre, Industrial designated site to the south of the project site after the Interstate 15 interchange has been completed and after Clairemont Mesa Boulevard has been re-aligned. Both these actions have been completed; therefore, the proposal to vacate the easement will not adversely affect any applicable land use plan.

000540  
4. The public facility for which the public right-of-way was originally acquired will not be detrimentally affected by the vacation. The public facility for which the public right-of-way easement was originally acquired will not be detrimentally affected by the vacation because the former Interstate 15 off-ramp has been constructed at another location; therefore, the subject right-of-way easement is no longer needed; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

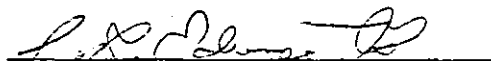
1. That the public right-of-way easement in connection with Site Development Permit No. 205536, as more particularly described in the legal description marked as Exhibit "A," and shown on Drawing No. 20397-B, marked as Exhibit "B," and on file in the office of the City Clerk as Document Nos. RR-\_\_\_\_\_, and RR-\_\_\_\_\_, which are by this reference incorporated herein and made a part hereof, is ordered vacated.

2. That said street vacation is conditioned upon the recordation of a two parcel, Parcel Map. In the event this condition is not completed within two years following the adoption of this resolution, then this resolution shall become void and be of no further force or effect.

006541  
3. That the City Clerk shall cause a certified copy of this resolution, with attached exhibits, attested by her under seal, to be recorded in the office of the County Recorder.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



Shirley R. Edwards  
Chief Deputy City Attorney

SRE:pev

04/10/07

Or.Dept:DSD

R-2007-932

MMS #4573

EASEMENT AABANDONMENT&STREET VACATIONS - Summary Vacation 11-01-04



990543

EXHIBIT "A"  
LEGAL DESCRIPTION  
STREET VACATION

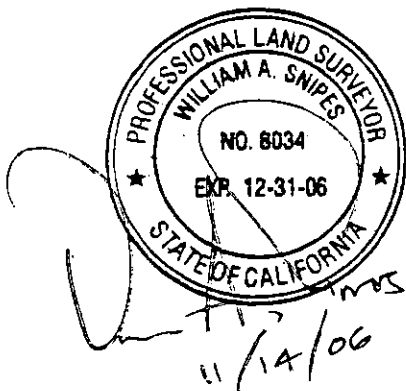
BEING A PORTION OF LOT 2, OF ROSEDALE TRACT, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 825, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON JANUARY 21, 1897, AND A PORTION OF MOUND AVENUE AS DEDICATED IN RESOLUTION NO. 174980 AND RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN DIEGO ON MARCH 22, 1963 AS FILE PAGE NO. 50209, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL "A"

BEGINNING AT THE MOST SOUTHWEST CORNER OF LOT 1 OF ROSEDALE TRACT IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 825 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY JANUARY 21, 1897; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 1, NORTH  $89^{\circ}33'34''$  EAST 355.41 FEET, TO THE TRUE POINT OF BEGINNING, SAID POINT BEING A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THAT CERTAIN CALIFORNIA STATE HIGHWAY AS SHOWN ON STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION RELINQUISHMENT MAP NO. 239, AS REFERRED TO AND MADE A PART OF CALIFORNIA TRANSPORTATION COMMISSION RESOLUTION RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, JULY 08, 1986, AS FILE NO. 86-280948; THENCE CONTINUING ALONG THE SOUTHERLY BOUNDARY OF SAID LOT 1, NORTH  $89^{\circ}33'34''$  EAST 350.02 FEET (RECORD NORTH  $89^{\circ}33'22''$  EAST 350.04 FEET), TO THE MOST NORTHWEST CORNER OF THAT CERTAIN PARCEL SHOWN AS "SEGMENT 5" ON SAID RELINQUISHMENT MAP NO. 239, SAID POINT BEING A POINT ON A NON-TANGENT CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 535.00 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH  $87^{\circ}34'29''$  WEST; THENCE LEAVING THE SOUTHERLY LINE OF SAID LOT 1 ALONG THE WESTERLY LINE OF THE ABOVE MENTIONED "SEGMENT 5" AND ALONG SAID CURVE, SOUTHERLY THROUGH A CENTRAL ANGLE OF  $01^{\circ}30'01''$ , A DISTANCE OF 14.01 FEET (RECORD  $01^{\circ}30'02''$ ); THENCE TANGENT TO SAID CURVE, SOUTH  $00^{\circ}55'29''$  WEST 19.45 FEET (RECORD NORTH  $00^{\circ}54'30''$  WEST) TO A TANGENT CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 20.00 FEET; THENCE SOUTHERLY AND SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF  $49^{\circ}40'50''$  A DISTANCE OF 17.34 FEET (RECORD  $49^{\circ}40'49''$ ), TO A POINT OF REVERSE CURVE CONCAVE EASTERLY HAVING A RADIUS OF 65.00 FEET; THENCE SOUTHWESTERLY, SOUTHERLY AND SOUTHEASTERLY ALONG SAID CURVE, THROUGH A

000544

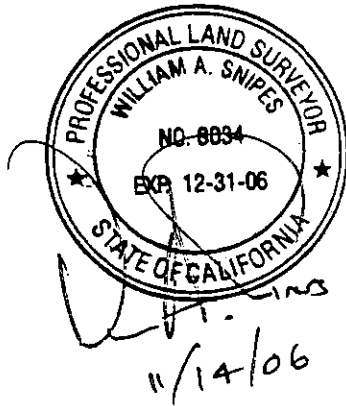
CENTRAL ANGLE OF  $107^{\circ}03'04''$  A DISTANCE OF 121.45 FEET (RECORD  $107^{\circ}05'57''$  121.50 FEET). TO AN INTERSECTION WITH THE NORTHERLY BOUNDARY LINE OF PARCEL MAP NO. 14610. RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA. DECEMBER 31, 1986 AS FILE NO. 86-626104, SAID POINT BEING A POINT OF CURVE WITH A NON-TANGENT CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 776.00 FEET (RECORD 775.98 FEET PER SAID RELINQUISHMENT MAP). A RADIAL LINE TO SAID POINT BEARS NORTH  $02^{\circ}14'07''$  WEST. THENCE LEAVING THE WESTERLY LINE OF SAID "SEGMENT 5" AND ALONG THE NORTHERLY BOUNDARY LINE OF SAID PARCEL MAP NO. 14610. WESTERLY THROUGH A CENTRAL ANGLE OF  $33^{\circ}21'23''$  A DISTANCE OF 451.77 FEET (RECORD  $33^{\circ}23'20''$  451.97 FEET PER SAID RELINQUISHMENT MAP) TO A POINT, SAID POINT BEING THE END OF SAID CURVE AND AN ANGLE POINT IN THE NORTHERLY LINE OF PARCEL 4 OF SAID PARCEL MAP NO. 14610, SAID POINT BEING ALSO A POINT OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1350.00 FEET. AS SHOWN ON SAID RELINQUISHMENT MAP NO. 239 AND ON MISCELLANEOUS SURVEY NO. 957 RECORDED IN THE OFFICE OF THE COUNTY SURVEYOR OF THE COUNTY OF SAN DIEGO, A RADIAL LINE TO SAID POINT BEARS NORTH  $83^{\circ}47'24''$  WEST (RECORD NORTH  $83^{\circ}47'27''$ ); THENCE LEAVING THE NORTHERLY BOUNDARY LINE OF SAID PARCEL MAP NO. 14610. NORTHERLY ALONG SAID CURVE AND ALONG SAID MISCELLANEOUS SURVEY NO. 957 THROUGH A CENTRAL ANGLE OF  $08^{\circ}49'17''$  A DISTANCE OF 207.85 FEET (RECORD  $08^{\circ}49'45''$  208.03 FEET) TO A POINT; THENCE CONTINUING ALONG SAID MISCELLANEOUS SURVEY NO. 957, NON-TANGENT TO SAID CURVE NORTH  $21^{\circ}33'44''$  EAST, 97.40 FEET (RECORD NORTH  $21^{\circ}30'03''$  EAST) TO THE TRUE POINT OF BEGINNING.



PTS NO. 67993  
I.O. NO. 004556  
DWG. NO. 20397-B

000545

49°40'52"); THENCE TANGENT TO SAID CURVE NORTH 00°55'29" EAST 19.45 FEET (RECORD 00°54'30" ). TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 465.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°55'56" A DISTANCE OF 15.68 FEET (RECORD 01°55'50" 15.67 FEET), TO THE TRUE POINT OF BEGINNING.



PTS NO. 67993  
I.O. NO. 004556  
DWG. NO. 20397-B

000547

EXHIBIT "A"  
LEGAL DESCRIPTION  
STREET VACATION

BEING A PORTION OF LOT 2, OF ROSEDALE TRACT, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 825, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON JANUARY 21, 1897, AND A PORTION OF MOUND AVENUE AS DEDICATED IN RESOLUTION NO. 174980 AND RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN DIEGO ON MARCH 22, 1963 AS FILE PAGE NO. 50209, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

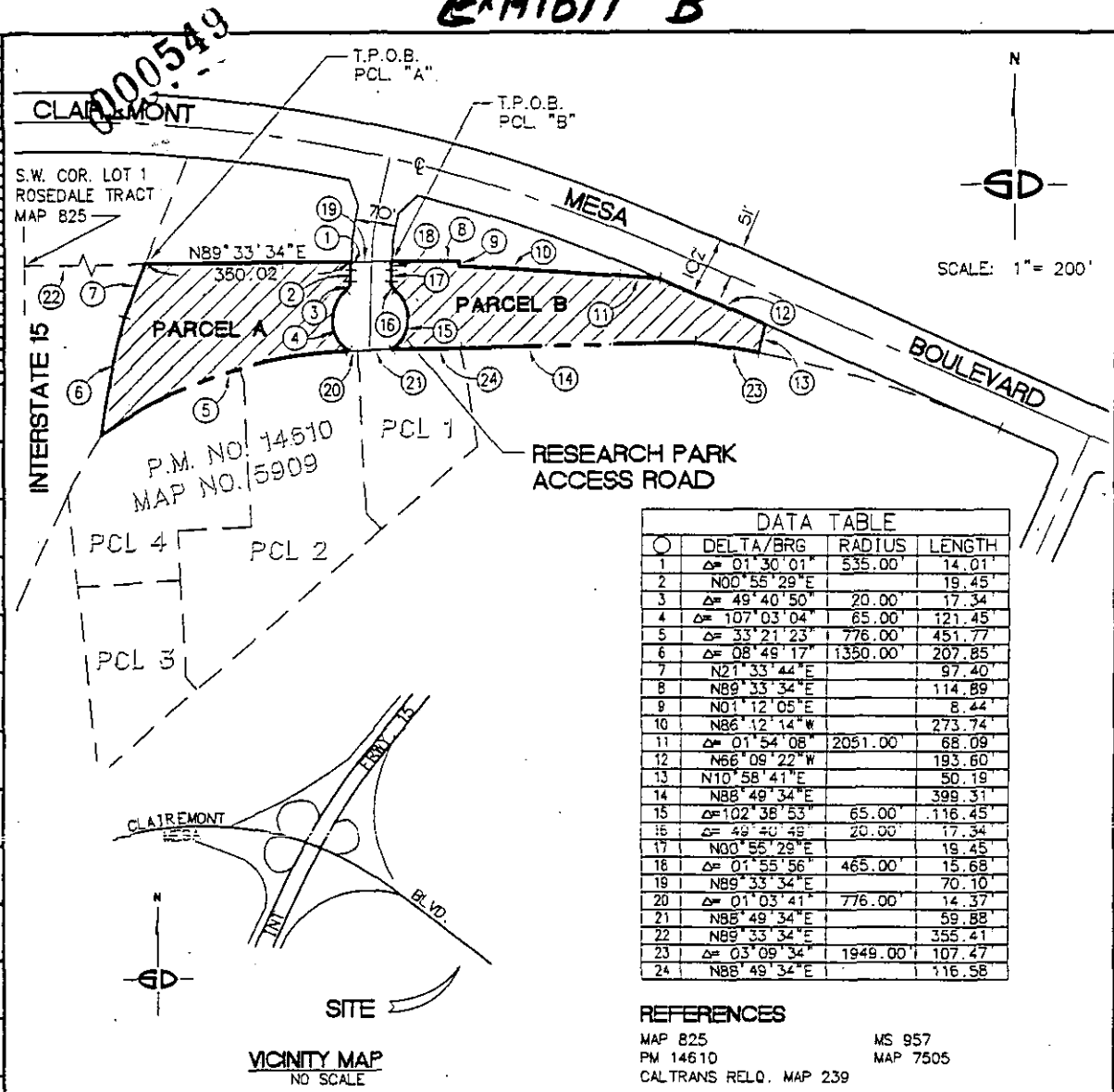
PARCEL "B"

BEGINNING AT THE MOST SOUTHWEST CORNER OF LOT 1 OF ROSEDALE TRACT IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 825 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY JANUARY 21, 1897; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 1, NORTH 89°33'34" EAST 355.41 FEET TO A POINT, SAID POINT BEING A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THAT CERTAIN CALIFORNIA STATE HIGHWAY AS SHOWN ON STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION RELINQUISHMENT MAP NO. 239, AS REFERRED TO AND MADE A PART OF CALIFORNIA TRANSPORTATION COMMISSION RESOLUTION RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, JULY 08, 1986, AS FILE NO. 86-280948; THENCE CONTINUING ALONG THE SOUTHERLY BOUNDARY OF SAID LOT 1, NORTH 89°33'34" EAST 350.02 FEET (RECORD NORTH 89°33'22" EAST 350.04 FEET), TO THE MOST NORTHWEST CORNER OF THAT CERTAIN PARCEL SHOWN AS "SEGMENT 5" ON SAID RELINQUISHMENT MAP NO. 239; THENCE CONTINUING ALONG THE SOUTHERLY BOUNDARY OF SAID LOT 1 AND ALONG THE NORTHERLY LINE OF SAID "SEGMENT 5", NORTH 89°33'34" EAST (RECORD NORTH 89°33'22" EAST) 70.10 FEET TO THE MOST NORTHEASTERLY CORNER OF SAID "SEGMENT 5", SAID POINT BEING **THE TRUE POINT OF BEGINNING**; THENCE CONTINUING ALONG THE SOUTHERLY BOUNDARY OF SAID LOT 1, NORTH 89°33'34" EAST 114.89 FEET (RECORD NORTH 89°33'22" EAST 114.86 FEET) TO A POINT; THENCE LEAVING SAID SOUTHERLY LINE OF SAID LOT 1, SOUTH 01°12'05" WEST 8.47 FEET (RECORD SOUTH 01°10'56" WEST) TO A POINT; THENCE SOUTH 86°12'14" EAST 273.74 FEET (RECORD SOUTH 86°13'08" EAST 273.11 FEET) TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 2051.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°54'08" A DISTANCE OF 68.09 FEET (RECORD 01°55'02" 68.63 FEET) TO A POINT ON THE SOUTHWESTERLY LINE

000548

OF THAT CERTAIN PARCEL SHOWN AS "SEGMENT 4" ON SAID RELINQUISHMENT MAP NO. 239; THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE OF SAID "SEGMENT 4", SOUTH  $66^{\circ}09'22''$  EAST 193.60 FEET (RECORD SOUTH  $66^{\circ}09'21''$  EAST) TO A POINT, SAID POINT BEING ON THE NORTHWESTERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DEED TO KAISER AETNA, A PARTNERSHIP, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON DECEMBER 17, 1971 AS FILE PAGE NO. 295053, AND THE NORTHWESTERLY LINE OF LOT NO. 3 OF VILLA PACIFICA UNIT NO. 1 AS SHOWN ON MAP NO. 7505 RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON DECEMBER 14, 1972 AS FILE PAGE NO. 333403, SAID POINT BEING ON THE NORTHEASTERLY PROLONGATION OF A RADIAL LINE BEARING NORTH  $10^{\circ}58'41''$  EAST (RECORD NORTH  $10^{\circ}58'58''$  EAST) FROM THE CENTER OF A 1949.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, SAID CURVE BEING THE SOUTHERLY RIGHT OF WAY LINE OF CLAIREMONT MESA BOULEVARD, AS SHOWN ON SAID MAP NO. 7505; THENCE SOUTHWESTERLY ALONG SAID RADIAL LINE AND THE NORTHWESTERLY LINE OF SAID KAISER AETNA DEED, SOUTH  $10^{\circ}58'41''$  WEST 50.19 FEET TO A POINT ON SAID 1949.00 FOOT RADIUS CURVE, SAID POINT BEING AN ANGLE POINT IN SAID KAISER AETNA DEED AND AN ANGLE POINT IN SAID LOT 3; THENCE LEAVING SAID KAISER AETNA DEED AND CONTINUING ON THE WESTERLY PROLONGATION OF SAID 1949.00 FOOT (RECORD 1948.95 FOOT) RADIUS CURVE THROUGH A CENTRAL ANGLE OF  $03^{\circ}09'34''$  A DISTANCE OF 107.47 FEET (RECORD  $03^{\circ}09'59''$  107.70 FEET), TO AN INTERSECTION WITH THE EASTERLY PROLONGATION OF THE NORTHERLY BOUNDARY LINE OF PARCEL MAP NO. 14610, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, DECEMBER 31, 1986 AS FILE NO. 86-626104; THENCE NON-TANGENT TO SAID CURVE ALONG SAID PROLONGATION SOUTH  $88^{\circ}49'34''$  WEST 399.31 FEET (RECORD SOUTH  $88^{\circ}49'04''$  WEST 399.55 FEET), TO THE MOST NORTHEAST CORNER OF SAID PARCEL MAP NO. 14610; THENCE CONTINUING ALONG THE NORTHERLY BOUNDARY OF SAID PARCEL MAP NO. 14610, SOUTH  $88^{\circ}49'34''$  WEST 116.58 FEET (RECORD SOUTH  $88^{\circ}49'04''$  WEST 116.56 FEET), TO THE MOST SOUTHEASTERLY CORNER OF THE ABOVE MENTIONED "SEGMENT 5" OF SAID RELINQUISHMENT MAP NO. 239, SAID POINT BEING A POINT OF CURVE OF A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 65.00 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH  $36^{\circ}06'25''$  EAST (RECORD SOUTH  $36^{\circ}03'57''$  EAST); THENCE LEAVING THE NORTHERLY BOUNDARY LINE OF SAID PARCEL MAP NO. 14610 ALONG SAID CURVE, NORTHEASTERLY, NORTHERLY AND NORTHWESTERLY THROUGH A CENTRAL ANGLE OF  $102^{\circ}38'53''$  A DISTANCE OF 116.45 FEET (RECORD  $102^{\circ}42'25''$  116.52 FEET), TO A POINT OF REVERSE CURVE, SAID CURVE BEING CONCAVE EASTERLY HAVING A RADIUS OF 20.00 FEET; THENCE NORTHEASTERLY AND NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF  $49^{\circ}40'49''$  A DISTANCE OF 17.34 FEET (RECORD

# EXHIBIT 'B'



DATA TABLE			
Δ	DELTA/BRG	RADIUS	LENGTH
1	Δ 01° 30' 01"	535.00'	14.01'
2	N00° 55' 29" E		19.45'
3	Δ 49° 40' 50"	20.00'	17.34'
4	Δ 107° 03' 04"	65.00'	121.45'
5	Δ 33° 21' 23"	776.00'	451.77'
6	Δ 08° 49' 17"	1350.00'	207.85'
7	N21° 33' 44" E		97.40'
8	N89° 33' 34" E		114.89'
9	N01° 12' 05" E		8.44'
10	N86° 12' 14" W		273.74'
11	Δ 01° 54' 08"	2051.00'	68.09'
12	N66° 09' 22" W		193.60'
13	N10° 58' 41" E		50.19'
14	N88° 49' 34" E		399.31'
15	Δ 102° 38' 53"	65.00'	116.45'
16	Δ 49° 40' 48"	20.00'	17.34'
17	N00° 55' 29" E		19.45'
18	Δ 01° 55' 56"	465.00'	15.68'
19	N89° 33' 34" E		70.10'
20	Δ 01° 03' 41"	776.00'	14.37'
21	N88° 49' 34" E		59.88'
22	N89° 33' 34" E		355.41'
23	Δ 03° 09' 34"	1949.00'	107.47'
24	N88° 49' 34" E		116.58'

## REFERENCES

MAP 825 MS 957  
PM 14610 MAP 7505  
CALTRANS RELQ. MAP 239

## BASIS OF BEARING

THE BASIS OF BEARINGS FOR THIS PLAT IS THE LINE BETWEEN POINTS 144 AND 145 INDICATED ON RECORD OF SURVEY 14492, IE: N44° 58' 49" W

## PARCEL AREAS

PARCEL A 73,902 S.F. 1.696 AC.  
PARCEL B 71,980 S.F. 1.652 AC.



## LEGEND

RIGHT-OF-WAY  
VACATED  
T.P.O.B. TRUE POINT OF BEGINNING

ENGINEER OF WORK  
**SNIPES-DYE ASSOCIATES**  
CIVIL ENGINEERS AND LAND SURVEYORS  
8348 CENTER DRIVE, STE. G, LA MESA, CA 91942  
TELEPHONE (619) 697-9234  
FAX (619) 697-9234  
WILLIAM A. SNIPES L.S. 8034  
EXPIRES 12-31-2008

## STREET VACATION - CLAIREMONT MESA BOULEVARD EASTERLY OF INTERSTATE 15

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	W.O. -004556 PTS # 67993
ORIGINAL	SDA	JT	3/28/07		SHEET 1 OF 1 SHEET	
					<i>William A. Snipes</i>	1882-6293
					FOR CITY ENGINEER	NAD 83 COORDINATES
					DATE	242-1733
						LAMBERT COORDINATES
						<b>20397-B</b>
STATUS						

000550

## NOTICE OF STREET VACATION

### NOTICE OF VACATION OF A PUBLIC RIGHT-OF-WAY.

NOTICE IS HEREBY GIVEN that the Council of the City of San Diego, California, elected to proceed under the provisions of California Streets and Highways Code section 8300 et seq., and declaring its intention to vacate certain street or portions thereof, and fixes \_\_\_\_\_ on \_\_\_\_\_ in the Council Chambers on the twelfth floor of the City Administration Building, Charles C. Dail Concourse, 202 "C" Street, San Diego, California as the time and place for hearing all persons interested in or objecting to the said vacation, to wit:

The vacation of a public right-of-way, as more particularly shown on Drawing No. 20397-B, on file in the office of the City Clerk as Document No.

RR-\_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, San Diego, California.

\_\_\_\_\_  
\_\_\_\_\_  
City of San Diego

By \_\_\_\_\_

Or.Dept:DSD

000551

LEAS - Krutzsch - TRP Limited

CLERK'S FILE COPY

(R-90-847)

RESOLUTION NUMBER R- 274804

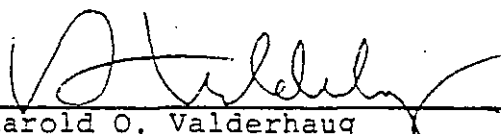
ADOPTED ON DEC 4 1989

BE IT RESOLVED, by the Council of The City of San Diego, that the Agreement Re Lease of Real Property and Settlement of Litigation, together with a proposed lease in the form of the City of San Diego Flat Rate Lease as modified by the Significant Changes to Standard Lease Agreement, copies of which are cumulatively on file in the office of the City Clerk as Document No. RR- 274804, in order to settle the case of TRP Limited v. City of San Diego, et al., Case 578191, is hereby approved.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to subsequently execute a lease, for a term of 55 years, containing City's standard lease provisions with modifications as described in the above specified settlement agreement.

APPROVED: JOHN W. WITT, City Attorney

By

  
Harold O. Valderhaug  
Deputy City Attorney

HOV:ps  
11/22/89  
Or.Dept:Prop.  
Job:520864  
R-90-847  
Form=r.none



000553

AGREEMENT RE LEASE OF REAL PROPERTY  
AND  
SETTLEMENT OF LITIGATION

This Agreement is made by and between the City of San Diego a municipal corporation ("City"), on the one hand, and Caroline H. Kruttsch, Trustee U.D.T. dated March 17, 1983, F.B.O. The Kruttsch Family, and John J. McCloskey, Executor of the Estate of August Kruttsch, on behalf of the heirs and devisees of August Kruttsch, deceased (collectively referred to herein as "Kruttsch").

RECITALS

A. This Agreement relates to certain real property ("the property") in the City and County of San Diego, California, lying to the south of Clairemont Mesa Boulevard and to the east of Interstate 15. The real property is generally depicted as Lots A through E, inclusive, on Exhibit "A" attached hereto and incorporated herein by reference. Reference to Lots A, B, C, D or E throughout this Agreement refers to those lots as depicted on Exhibit "A".

B. Lots A and D are adjacent to, and immediately to the west of the cul-de-sac depicted on Exhibit "A" ("the cul-de-sac"); and Lots B, C and E are adjacent to, and immediately to the east of the cul-de-sac.

C. The fee title to Lots A and B is owned by the United States Government, Department of The Navy ("U. S."). Fee title to Lot C is owned by City. A dispute exists between City and Kruttsch as to the fee ownership of Lots D and E as both City and Kruttsch claim to be the owner of fee title to said lots.

D. As a result of the dispute between City and Kruttsch regarding the ownership of Lots D and E, a lawsuit was filed in the Superior Court, County of San Diego, entitled TRP Limited v. City of San Diego, et al., Case No. 578191 ("the Lawsuit"). Kruttsch has succeeded to all of the rights of TRP Limited with respect to the Lawsuit. In the Lawsuit, Kruttsch, as successor to TRP Limited, seeks to quiet title to the property in favor of Kruttsch. City has denied the allegations in the Lawsuit and claims that title should be quieted in its favor. The lawsuit is now pending.

E. The property which is described in Recital A is presently raw land and the parties agree that the orderly development of the property would be beneficial. City is in the process of negotiation with U. S. regarding an exchange of properties whereby U. S. would own all of the property on one side of the cul-de-sac while City would own all of the property on the other side of the cul-de-sac (for example, U. S. would own Lots A and D, while the City would own Lots B, C and E, or vice versa). These negotiations are ongoing.

000554  
F. In order to assist in effectuating the negotiations between City and U. S. and in order to provide for the ultimate development of the property, it is the intent and desire of City and Krutzsch to resolve the Lawsuit and the issues of title respecting Lots D and E raised therein, and to consummate a lease agreement between City and Krutzsch relating to the property proposed to be acquired by City, or portions thereof.

NOW, THEREFORE, in consideration of the foregoing recitals, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

I

RELEASE AGREEMENTS

1.0 Except as specifically provided for in this Agreement, City hereby releases Krutzsch, and each of them, and Krutzsch, and each of them, hereby release City from any and all claims, causes of action, demands or liabilities, of whatever nature, anticipated or unanticipated, known or unknown, in connection with, or in any way related to the Lawsuit and/or that certain real property as generally described on Exhibit "A" attached hereto and incorporated herein by this reference, and/or any acts or transactions in any way related to the aforesaid property, including, without limitation, the acquisition, ownership and/or transfer thereof, and/or any acts relating to the filing, prosecution or termination of the Lawsuit.

1.1 The releases herein granted and all provisions hereof extend and apply equally to any and all of the officers, directors, servants, employees, agents, partners, representatives, subsidiaries, descendants, heirs, executors, administrators, beneficiaries, assigns, stockholders, successors, predecessors, and attorneys of each of the parties hereto.

1.2 The releases herein granted extend to any and all claims or demands of any party hereto with respect to costs, attorneys' fees or expenses incurred in connection with the Lawsuit.

1.3 The releases herein granted extend to all claims, whether or not known, claimed or suspected by the parties hereto, and constitute a waiver of each and all provisions of California Civil Code Section 1542, which provides as follows:

A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which, if known by him, must have materially affected his settlement with the debtor.

000555

1.4 The releases herein granted shall not apply to any duties or obligations of the parties pursuant to this Agreement.

1.5 All of the parties:

A. Covenant and agree that they will not institute any action, claim or proceeding in any court or other tribunal for any relief based in whole or in part upon any act, action, claim or demand for which any party hereto is released by and under this Release Agreement, and will defend and hold harmless any party hereto from loss or liability in the event any suit based upon a claim or release under this Release Agreement is made.

B. Warrant that they have not instituted any lawsuit or proceeding against any party hereto or person released hereunder relating to the claims released under this Release Agreement, other than the Lawsuit;

C. Warrant that they have not assigned any claim being released under this Release Agreement; and

D. Warrant that the individuals signing this Agreement are authorized to do so.

1.6 In consideration of the releases set forth above, and the agreements of City as set forth below, Kruttsch agrees to do the following:

A. Cause to be filed a dismissal, without prejudice, of the Lawsuit at the time this Agreement is signed by or on behalf of all parties; and

B. Execute and deliver a quitclaim deed to City, quitclaiming all interest of Kruttsch in Lots D and E to City at such time as the Lease Agreement referenced in Section III, infra, is signed by or on behalf of all parties, and at such time Kruttsch shall cause to be filed a dismissal, with prejudice, of the Lawsuit.

## II

### EXCHANGE OF PROPERTY WITH U. S.

2.0 City agrees to use its best efforts to negotiate and consummate an agreement with U. S. for the exchange of portions of the property. More specifically, City will make every effort to exchange Parcel C and E for Parcel A or, in the alternative, exchange Parcel D for Parcel B so as to result in City owning all of the property on one side of the cul-de-sac and U. S. owning all of the property on the other side of the cul-de-sac. The specific sides of the cul-de-sac which City and U. S. shall respectively own

000556  
Subject to negotiation between City and U. S. Kruttsch agrees to reasonably cooperate with respect to the foregoing.

2.1 Except as specifically provided for in this Agreement, all negotiations and transactions between City and U. S. shall be at no cost or expense to Kruttsch. It is further understood that due to the potential discrepancies in size and value of the various lots within the property, monetary payments may be exchanged between City and U. S. in order to effectuate the exchange. In such event, Kruttsch shall have no responsibility or obligations with respect to the payment of nor any right to receive any necessary monies.

2.2 City will carry out negotiations with U. S. within its sole discretion, provided, however, that City shall keep Kruttsch advised of the status of the negotiations and shall provide written status reports to Kruttsch on a regular basis, or within ten (10) days from the written request of Kruttsch.

2.3 In conjunction with City's negotiations with U. S., and in order to facilitate the Lease Agreement between City and Kruttsch as provided for below, the parties recognize that an appraisal of the property, and various individual and combinations of lots within the property, is required. City and Kruttsch have jointly retained William Reynolds to prepare a written appraisal report. City agrees to pay fifty-five percent (55%) of the total cost of the appraisal, including necessary engineering work, and Kruttsch agrees to pay forty-five percent (45%) of the total cost of the appraisal, including necessary engineering work.

A. The parties acknowledge that the appraisal of the property is essential to a determination of the rental payments to be made by Kruttsch to City under the Lease Agreement described herein. Accordingly, if either party is dissatisfied with the written appraisal regarding the individual Lots A, B, C, D or E, or any combination thereof, and upon the request of either party, a reappraisal will be permitted as set forth below. With respect to any such reappraisal, the following shall apply:

1. A request for reappraisal must be submitted in writing to the other party within sixty (60) days from the receipt of the initial written appraisal or from the date that this Agreement is fully executed, whichever shall last occur. The party requesting a reappraisal may, at its sole option, request the reappraisal to be made by the initial appraiser or any other appraiser. Any reappraisal performed, shall be made with a date of valuation the same as the date of the initial appraisal.

2. The cost of any reappraisal shall be borne by the party requesting the reappraisal.

000557

3. If the initial appraisal and the reappraisal are within fifteen percent (15%) of one another (the larger appraisal being not more than fifteen percent (15%) higher than the lower appraisal), the fair market value shall be the average of the two appraisal amounts. If the two appraisals differ by more than fifteen percent (15%) and Kruttsch and City cannot agree to a fair market value, an impasse is thus reached, and then the two appraisers shall be asked to mutually agree upon a third independent MAI appraiser. If the two appraisers fail to mutually select a third appraiser within thirty (30) days after such request, and Kruttsch and City cannot mutually agree upon a third appraiser, then, the third appraiser will be appointed by the presiding judge of the Superior Court of the State of California, County of San Diego, acting in his or her individual capacity, on prompt application by either City or Lessee with notice thereupon to the other party. In the event that the Superior Court judge declines to make the appointment, the parties hereto agree that the third appraiser shall be promptly determined in accordance with the rules of the American Arbitration Association. Said third appraiser shall complete the assignment within sixty (60) days of appointment. Each party shall pay the cost of its own selected appraiser and both City and Kruttsch agree to equally share the cost of the mutually selected or court appointed third appraiser. City and Kruttsch agree to accept and be bound by the valuation determined by the selected or appointed third appraiser.

B. The parties acknowledge that in performing the appraisal work as set forth above, certain assumptions will be made regarding the ultimate land-use approvals, including zoning, and the highest and best use of the property. In the event the actual land-use approvals (as defined below) placed upon the property, or any portion thereof, is different from that assumed in the appraisal or other assumptions of the appraisal are incorrect, upon the written request of any party within 30 days after notification of the City approval which is contended to be inconsistent with the appraisal assumptions, a reappraisal shall be made as of the date of the initial appraisal, based upon the zoning and related land-use approvals approved by City. In such event, the reappraisal will not constitute the parties' right to reappraisal as set forth in paragraph 2.3 A, and the cost of such reappraisal shall be borne by the parties in the same ratio as the initial appraisal. Any reappraisal made under this subparagraph shall be subject to further reappraisal as set forth in Paragraph 2.3 A(1), (2) and (3) hereof.

000558

2.4 In conjunction and concurrent with its negotiations with U.S., City shall commence and use its best efforts with the reasonable cooperation of Kruttsch, or its successor or assignee, to obtain all necessary City approvals regarding the Development Plan, zoning classifications, compliance with general, specific and/or community plans, parcel and/or subdivision map approvals, street vacations, initial environmental approvals and other approvals relating to the ultimate development of the property ("land-use approvals"). More specifically, it is contemplated that the property will be zoned industrial and/or commercial, which City believes is consistent with present zoning and planning of property. In the event that City cannot lawfully process any of the land-use approvals, or if City determines and Kruttsch, or its successors or assignees, agrees that the processing of any of the land-use approvals prior to the submittal of the Lease Development Plan would not be in the best interests of the parties, then any such land-use approvals shall be processed by City at such time as the Lease Development Plan is submitted. It is understood, however, that City makes no representations or assurances, nor is it obligating itself, or any of its agents, boards, commissions or council, that any particular zoning or land-use designation or approvals can, or will, be obtained. All costs and expenses regarding City's processing of the aforesaid land-use approvals shall be at the sole cost and expense of City, except any specific environmental documents required for the Lease Development Plan shall be processed at the expense of Kruttsch or its assignees.

2.5 The parties acknowledge that certain surveying and related work will be required in connection with the appraisal and land-use approvals. Kruttsch shall not be obligated for any costs associated with any necessary survey or related work, except as to such work performed by William Reynolds, or engineers employed by him, in connection with the appraisals undertaken in connection with this Agreement.

2.6 City shall keep Kruttsch advised of the status of the land-use approvals and shall provide written status reports to Kruttsch on a regular basis, or within ten (10) days from the written request of Kruttsch.

### III

#### LEASE AGREEMENT

3.0 Subject to the requisite approvals, including, but not limited to, Development Plan approval, and related environmental approvals, City hereby agrees to lease all of the property on whichever side of the cul-de-sac it obtains after consummating its exchange with U. S. to Kruttsch (for example, Lots D and A, or Lots B, C and E). The Lease shall be in the form and based upon the terms and conditions as set forth in Exhibit "B" attached hereto and incorporated herein by this reference ("the Lease").

000559  
The parties acknowledge that all material terms of the Lease have been agreed upon as set forth in Exhibit "B"; provided, however, that certain provisions will be inserted into the Lease as set forth in the following sections of this Agreement. The Lease shall be executed by City and Kruttsch, or its successor or assignee, sixty (60) days after approval by City of all necessary land-use approvals and a Development Plan, and related environmental approvals, as contemplated by the Lease.

3.1 The specific legal description of the property to be leased shall be inserted into the Lease Agreement at such time as all appropriate surveys have been accomplished and the contemplated exchange between City and U. S. has been consummated. More specifically, and subject to Paragraph 3.4, City agrees to lease to Kruttsch all of the property which it owns after the consummation of its exchange with U. S. (i.e., Lots D and A, or Lots B, C and E).

3.2 The initial rental rate under the Lease shall be inserted into the Lease at such time as the appraisals, land-use approvals, and exchange between City and U. S. have been accomplished. The initial annual rent shall be determined as follows:

A. Seven percent (7%) of the appraised value (as defined in Paragraph 3.2 B) of Lot D, appraised individually, and Lot E, appraised individually, plus ten percent (10%) of the difference between the weighted value of the total property leased (as defined by Paragraph 3.2 B) and the appraised value of Lot D, appraised individually, and Lot E, appraised individually.

B. As used in Paragraphs 3.2, 3.3 and 3.4, and all subparagraphs thereof, "appraised value" shall mean the fair market value of each lot appraised individually, or combinations of lots appraised as a unit, in its/their present, "as is", condition, as determined by the written appraisals made in accordance with Paragraph 2.3 hereof, which "appraised value" shall be adjusted to reflect a fair market value as of the date the initial Development Plan, as required under the Lease, is submitted for approval by City. Any such adjustment shall be based upon the same assumptions as the initial appraisal and shall be subject to Paragraph 2.3, and all subparagraphs thereof, and the cost of such adjustment shall be borne equally by the parties. As used in Paragraph 3.2 A, "weighted value" shall mean the appraised value of each lot, appraised individually, to be leased, plus one-half of the difference between the appraised value of the combination of lots, appraised as a unit, to be leased and the appraised value of each individual lot, appraised individually, to be leased. For the purpose of determining "weighted value", only, the combination of lots C & E, as a unit, shall be considered as one individual lot.

3.3 Within one hundred twenty (120) days after the exchange of property between City and U.S. as set forth in this Agreement

000560

is fully consummated and, subject to the provisions of Paragraph 2.4, all land-use approvals are obtained, Krutzsch, or its successors or assignees, shall submit a Development Plan to City for approval as contemplated by the Lease. In the event the development plan submitted, or any subsequent development plans, are not approved by City, additional development plans may be filed with City within ninety (90) days after the denial(s) of previously submitted development plans. It is the specific intent of the parties that the term of the Lease, and any obligation of Krutzsch, or its successors or assignees, under the Lease, including the payment of rent thereunder, shall not commence until sixty (60) days after a Development Plan has been approved and the Lease has been fully executed. If a Development Plan, and related environmental approvals, are not approved by City within two (2) years after the initial submittal of a Development Plan, City shall have no further obligation to enter into the Lease.

3.4 In the event that the land-use approvals (subject to the provisions of Paragraph 2.4) for the reasonable development of the property, or any portion thereof, are not obtained by City by June 30, 1992, or the exchange of property between City and U. S. has not been consummated by June 30, 1992, Krutzsch may, at its discretion, but shall not be obligated to, lease Parcels D and/or E, only. In such event, the initial rental payments shall be seven percent (7%) of the appraised value of Lots D and/or E. Further, Krutzsch, or its successors or assignees, shall have the right to also lease any remaining lots of the property acquired by the City pursuant to an exchange with U. S. under the same terms and conditions as set forth in the Lease and in this Agreement if said exchange or land-use approvals are completed at a later date. In the event Krutzsch leases Lots D and/or E pursuant to this Paragraph, all other terms of the Lease Agreement attached as Exhibit "B", as amplified in this Agreement including, without limitation, Paragraphs 3.2 and 3.3 hereof, shall apply to the leasing of Lots D and/or E.

3.5 In the event that City is unable to obtain appropriate land-use approvals for the reasonable development of the property, or any portion thereof or is unable to consummate the exchange with the U. S., on or before the dates set forth in Paragraph 3.4 and if Krutzsch does not elect to lease any portion of the property as permitted by Paragraph 3.4, then this contract is null and void. In such event, and in the event that Krutzsch chooses to refile the Lawsuit, City shall not raise as a defense therein the passage of time, or any other matter directly arising from this agreement, but may raise any other defenses it may possess.

3.6 It is expressly understood and agreed to by the parties that Krutzsch may not be, and at the present time does not contemplate being, the ultimate developer of the property or the holder of the leasehold estate. Instead, it is acknowledged that it is the intent of Krutzsch to assign this Agreement and/or the



000561

se to a third party and to obtain monetary consideration therefor, and thereby relieve Krutzsch from all obligations and responsibilities under this Agreement and/or the Lease. City acknowledges and agrees to this intent, and agrees to provide reasonable cooperation in achieving it, provided that any successor or assignee of Krutzsch shall be specifically bound by the terms and conditions of the Lease Agreement, as well as this Agreement insofar as it applies. Once the assignment of this Agreement and/or the Lease is made by Krutzsch, City acknowledges that Krutzsch shall have no further responsibilities under this Agreement and/or the Lease, and City shall execute appropriate documentation so relieving Krutzsch of any such requirements.

#### IV

#### MISCELLANEOUS PROVISIONS

4.0 This Agreement may be executed in counterparts and each counterpart, when executed, shall be treated as an original, and all of the counterparts together shall constitute the entire Agreement.

4.1 The parties agree that in the event any litigation or arbitration is threatened or commenced or any dispute arises with respect to the interpretation or enforcement of any provision of this Agreement, the prevailing party shall be entitled to its costs and expenses, including attorneys' fees.

4.2 All duties and obligations hereunder shall be binding upon and inure to the benefit of any successors or assigns of the parties.

4.3 It is understood and agreed by the parties that this Agreement is the result of arm's-length negotiations between the parties, and any presumptions or inferences construing any provision or the intent of this Agreement in favor or against any party, shall not apply.

4.4 No modification nor waiver of any term or covenant hereof shall be valid unless in writing and signed by all of the parties hereto. No waiver of any breach hereof or default hereunder shall be deemed a waiver of any subsequent default or breach of the same or similar nature.

4.5 Each of the parties acknowledges, warrants and represents that it has been represented by an attorney of its own choosing in connection with the preparation and execution of this Agreement.

4.6 If any term, covenant, condition or provision of this Agreement is invalid, void or unenforceable, the remainder hereof shall remain in full force and effect and shall in no way be affected or invalidated thereby.

000562

4.7 It is expressly understood that this Agreement and any funds expended hereunder are subject to the approval of the City Council and City Auditor of the City of San Diego, State of California. The parties shall cooperate in obtaining such approval. If this Agreement, in its entirety, is not approved by the City Council, this Agreement shall have no force or effect of whatever nature.

4.8 This Agreement, or an appropriate memorandum thereof, may be recorded by any party in the Office of the County Recorder, County of San Diego, State of California.

4.9 All notices or information to be supplied in connection with this Agreement shall be addressed as follows or as later requested, in writing, by any of the parties:

TO CITY:

c/o Deborah Berger, Esq.  
Deputy City Attorney  
520 "B" Street, Suite 1200  
San Diego, California 92101

TO KRUTZSCH, AND EACH OF THEM:

c/o Styn & Garland  
111 Elm Street, Suite 200  
San Diego, California 92101  
Attention: Jeffrey N. Garland

IN WITNESS WHEREOF, the parties hereto have executed this Agreement consisting of 10 pages, on the dates set forth below.

DATE: 12-5-89

CITY OF SAN DIEGO  
a municipal corporation

By *Paul [unclear]*

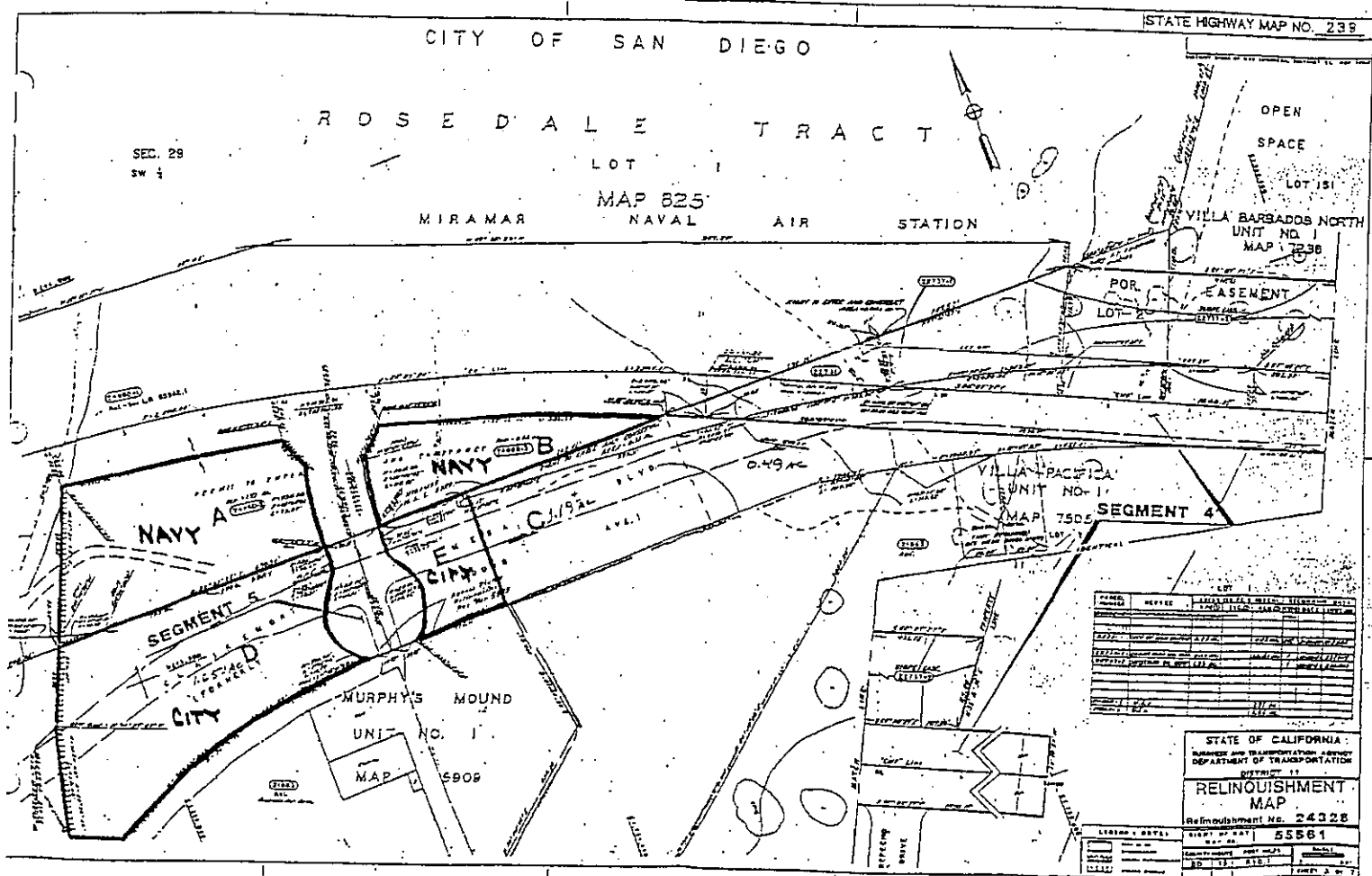
DATE: 12-28-89

*Caroline N. Kruttsch TR*  
Caroline H. Kruttsch, Trustee U.D.T.  
dated March 17, 1983, F.B.O. The  
Kruttsch Family

DATE: 12-28-89

*John J. McCloskey*  
John J. McCloskey, Executor of the  
Estate of August Kruttsch, on behalf  
of the heirs and devisees of August  
Kruttsch, deceased.

000563



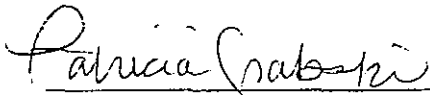
R-274804

000565

PLANNING COMMISSION  
RESOLUTION NO. 4223-PC  
**TUCKER SELF STORAGE**  
PROJECT TRACKING NUMBER 67993

WHEREAS, Andy Krutzsch, Permittee, and the City of San Diego filed an application for Site Development Permit 205536; Rezone 231223, and Public Right of Way Vacation 231224 to construct a 120,183 square foot self storage facility known as the Tucker Self-Storage project, at 9765 Clairemont Mesa Boulevard, and legally described as Parcel A and B of Lot 2 of Map No. 825 thereof, filed in the Office of the County Recorder, City of San Diego, County of San Diego, State of California, in the Tierrasanta Community Plan area; and

WHEREAS, on February 15, 2007, the Planning Commission of the City of San Diego considered Site Development Permit No. 205536; Rezone No. 231223, and Public Right of Way Vacation No. 231224 and voted 6:0:1 to recommend City Council approve the project as proposed with the following recommendations: signage is to be located only in the areas and no larger than shown in the applicant's photo simulation; use a more native planting around the retaining walls and overall use native vegetation comparable to the open space.



Patricia Grabski, AICP  
Development Project Manager

Project Tracking No. 67993  
Job Order No. 4556

000566

## SUMMARY VACATION OF A PUBLIC RIGHT-OF-WAY EASEMENT RESOLUTION

WHEREAS, the California Streets and Highways Code section 8330 et seq. and San Diego Municipal Code section 125.1001 et seq. provides a procedure for the summary vacation of a public right-of-way easement by City Council resolution where the easements are no longer required; and

WHEREAS, the affected property owner has requested the vacation of the public right-of-way easement, to unencumber this property and facilitate development of the site as conditioned in approved Site Development Permit No. 205536; and

WHEREAS, the City Council finds that:

1. **There is no present or prospective use for the public right-of-way, either for the facility for which it was originally acquired or for any other public use of a like nature that can be anticipated.** The proposed public right-of way vacation is for property which was formerly an Interstate 15 off-ramp. Since a new interchange for interstate 15 and Clairemont Mesa Boulevard has been constructed there is no present or prospective use for the existing public right-of-way, either for which it was originally acquired for or any other public use or a like nature that can be anticipated that requires it to remain.
2. **The public will benefit from the action through improved use of the land made available by the vacation.** The action of vacating the right-of-way will benefit the public by adding 3.35-acres of light industrial land to the City of San Diego.
3. **The vacation does not adversely affect any applicable land use plan.** The proposed vacation will not adversely affect the applicable land use plan. Specifically, the Tierrasanta Community Plan's Industrial Element states the subject property should be added to the existing 6-acre, Industrial designated site to the south of the project site after the Interstate 15 interchange has been completed and after Clairemont Mesa Boulevard has been re-aligned. Both these actions have been completed; therefore, the proposal to vacate the easement will not adversely affect any applicable land use plan.
4. **The public facility for which the public right-of-way was originally acquired will not be detrimentally affected by the vacation.** The public facility for which the public right-of-way easement was originally acquired will not be detrimentally affected by the vacation because the former Interstate 15 off-ramp has been constructed at another location; therefore, the subject right-of-way easement is no longer needed.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of San Diego, as follows:

000567

1. That the public-right-of-way vacation, in connection with Site Development Permit No. 205536 as more particularly described in the legal description marked as Exhibit "A," and shown on Drawing No. 20397-B, and on file in the office of the City Clerk as Document Nos. RR-\_\_\_\_\_, and RR-\_\_\_\_\_, which are by this reference incorporated herein and made a part hereof, is ordered vacated.

2. That said street vacation is conditioned upon the recordation of a two parcel, Parcel Map. In the event this condition is not completed within two years following the adoption of this resolution, then this resolution shall become void and be of no further force or effect.

That the City Clerk shall cause a certified copy of this resolution, with attached exhibits, attested by him under seal, to be recorded in the office of the County Recorder.

BE IT FURTHER RESOLVED, that this activity is covered under Tucker self Storage Mitigated Negative Declaration No. 67993, dated January 31, 2007, certified by the City Of San Diego City Council. The activity is adequately addressed in the Mitigated Negative Declaration and there is no change in circumstance, additional information, or project changes to warrant additional environmental review.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By

Deputy City Attorney

pxg  
1/29/07  
Or.Dept:DSD  
R-  
PTS 67993  
Job Order No. 004556

000569

Rezone Ordinance without Tentative Map

(O-INSERT~)

ORDINANCE NUMBER 0-\_\_\_\_\_(NEW SERIES)

ADOPTED ON \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 3.35-ACRES FROM RS-1-1 (RESIDENTIAL-SINGLE UNIT), IP-2-1 (INDUSTRIAL-PARK), AND IH -2-1 (INDUSTRIAL-HEAVY) TO IL-2-1 (INDUSTRIAL-LIGHT) LOCATED AT 9765 CLAIREMONT MESA BOULEVARD IN THE TIERRASANTA COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, AND REPEALING ORDINANCE NO. 16187 (NEW SERIES), ADOPTED APRIL 2, 1984, OF THE ORDINANCE OF THE CITY OF SAN DIEGO INSOFAR AS THE SAME CONFLICT HEREWITH.

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the 3.35-acre site located at the 9765 Clairemont Mesa Boulevard in the Tierrasanta Community Plan area, and legally described as Parcel A and B of Lot 2, of Map No, 825, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4248, filed in the office of the City Clerk as Document No. OO-\_\_\_\_\_, are rezoned from RS-1-1 (Residential-Single Unit), IP-2-1 (Industrial - Park), and IH -2-1 (Industrial-Heavy) to IL-2-1 (Industrial-Light).

Section 2. That Ordinance No. 16187 (New Series), adopted April 2, 1984, of the ordinances of the City of San Diego is repealed insofar as the same conflict with the rezoned uses of the land.

Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage and no building permits for development inconsistent with the provisions of this ordinance shall be unless application therefore was made prior to the date of adoption of this ordinance.

APPROVED: MICHAEL AGUIRRE, City Attorney

By \_\_\_\_\_  
Attorney Name  
Deputy City Attorney

000570

Permittee, and the City of San Diego Owner, under the terms and conditions set forth in  
the permit attached hereto and made a part hereof.

APPROVED: MICHAEL AGUIRRE, City Attorney

By

NAME  
Deputy City Attorney

ATTY/SEC. INITIALS

DATE

Or.Dept:Clerk

R-INSERT

Reviewed by Patricia Grabski



000571

## Item 10

**PLANNING COMMISSION OF THE CITY OF SAN DIEGO  
MINUTES OF REGULAR SCHEDULED MEETING OF  
FEBRUARY 15, 2007  
IN CITY COUNCIL CHAMBERS - 12<sup>TH</sup> FLOOR  
CITY ADMINISTRATION BUILDING**

**CHRONOLOGY OF THE MEETING:**

Chairperson Schultz called the meeting to order at 9:08 a.m. Vice-Chairperson Garcia adjourned the meeting at 1:12 p.m.

**ATTENDANCE DURING THE MEETING:**

Chairperson Barry Schultz- present/ not present # 11 & #12  
Vice-Chairperson Kathleen Garcia- present  
Commissioner Robert Griswold- present  
Commissioner Gil Ontai-present  
Commissioner Dennis Otsuji- present  
Commissioner Eric Naslund- present  
Vacancy  
Mary Wright, Planning Department – present  
Mike Westlake, Development Services-present  
Shirley Edwards, City Attorney- present  
Sabrina Curtin, Recorder-present

ITEM-9: **\*HUESO BUILDING - PROJECT NO. 17798**

000572

Will Zounes presented Report NO. PC-07-013 to the Planning Commission

Speaker slip submitted in favor by Tony Hueso.

No one present to speak in opposition.

**COMMISSION ACTION:**

MOTION BY VICE-CHAIRPERSON GARCIA TO APPROVE PLANNED DEVELOPMENT PERMIT NO. 40496 AND APPROVE SITE DEVELOPMENT PERMIT NO. 40495.

Second by Commissioner Ontai passed by a 6-0-1 vote with one vacancy.  
Resolution No. 4222-PC.

ITEM-10: **\*TUCKER SELF STORAGE - PROJECT NO. 67993**

Patricia Grabski presented Report NO. PC-07-032 to the Planning Commission.

Speaker slips submitted in favor by Steve Laub, Andy Krutzsh, Bob Bruckart, and Rick Marrs.

Speaker slips submitted in opposition by Scott Hasson.

**COMMISSION ACTION:**

MOTION BY COMMISSIONER NASLUND RECOMMEND TO THE CITY COUNCIL CERTIFICATION OF THE MITIGATED NEGATIVE DECLARATION NO. 67993, AND ADOPT THE MITIGATION, MONITORING AND REPORTING PROGRAM (NMRP).

RECOMMEND THE CITY COUNCIL APPROVE REZONE NO. 231223

RECOMMEND THE CITY COUNCIL APPROVE PUBLIC RIGHT OF WAY VACATION NO. 231224

RECOMMEND THE CITY COUNCIL APPROVE SITE DEVELOPMENT PERMIT NO. 205536

**ADDITIONAL RECOMMENDATION:**

RECOMMENDS PLANTING WITH A MORE NATIVE PLANTING ON GRADE AROUND THE RETAINING WALL. PULL THE WALL BACK 3FT TO OPEN SPACE.

RECOMMEND PLANTING OF NATIVE VEGETATION COMPARABLE TO

000573

THE OPEN SPACE.

SIGNAGE IS IN NO OTHER AREA OTHER THEN DEMONSTRATED IN THE PHOTO SIMULATION AND NO LARGER THEN DEMONSTRATED IN THE PHOTO SIMULATION.

ALSO, RECOMMEND TO INCLUDE THE ERRATA SHEET PRESENTED ON THE DATE OF THE HEARING, WHICH STATES:

PRIOR TO NOTICE TO PROCEED FOR ANY GRADING/CONSTRUCTION PERMIT, THE APPLICANT SHALL PROVIDE WRITTEN VERIFICATION TO THE DEVELOPMENT SERVICES DEPARTMENT ASSISTANT DEPUTY DIRECTOR ENVIRONMENTAL DESIGNEE FROM THE DEPARTMENT OF TOXIC SUBSTANCE CONTROL ASSURING THAT THE PROJECT SITE HAS BEEN COMPLETELY SWEEPED FOR UNEXPLODED ORDNANCE AND NO LONGER PRESENTS A SIGNIFICANT PUBLIC SAFETY/HUMAN HEALTH IMPACT.

Second by Commissioner Ontai. Passed by a 6-0-1 vote with and vacant seat. Resolution No. 4223-PC.

ITEM-N: **\*MCKINNON RESIDENCE - PROJECT NO. 51161**

Cory Wilkinson presented Report No. PC-07-035 to the Planning Commission.

Speaker slip submitted in favor by Dan McKinnon and Steve Doctor.

No one present to speak in opposition.

**COMMISSION ACTION:**

MOTION BY COMMISSIONER GRISWOLD TO RECOMMEND TO THE CITY COUNCIL TO ADOPT NEGATIVE DECLARATION NO. 51161.

RECOMMEND THE CITY COUNCIL TO APPROVE THE COASTAL DEVELOPMENT PERMIT NO. 147413, SITE DEVELOPMENT PERMIT NO. 147529, AND EASEMENT ABANDONMENT NO. 404901, SUBJECT TO ABANDONMENT OF THE ON-SITE PUBLIC SEWER MAIN, AND CONSTRUCTION OF A REPLACEMENT PRIVATE SEWER LATERAL.

ADDITIONAL RECOMMENDATION TO APPROVE; PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS FOR GRADING, APPROPRIATE TREE PROTECTION NOTES IDENTIFYING THE EXISTING "TORREY PINE" TO REMAIN SHALL BE ADDED TO ALL GRADING PLANS AND LANDSCAPE CONSTRUCTION DOCUMENTS.

Second by Commissioner Otsuji. Passed by a 5-0-2 vote with Chairperson Schultz not present and one vacancy. Resolution No. 4224-PC.